

Zoning Board of Adjustment of Sugar Hill
July 22, 2014

Members: John Colony, Don Boissonneault, Mike Hern, Amy Venezia

Guests: Ken King, Joe Cushing, Allan Clark, Tom Smith and David White

Chairman Mike Hern called the meeting to order. He noted that Amy Venezia would be serving as an alternate for the meeting tonight.

Election of Officers: On a motion made by Don Boissonneault, seconded by John Colony Mike Hern was nominated as Chairman of the Board. PASSED

On a motion made by Mike Hern, seconded by Don Boissonneault Peter Anderson was nominated as Vice Chairman. PASSED

Case 14-01
Special Exception
Ski Hearth Farm

Chairman Hern read a narrative of the special exception and variance to the Board members and audience present explaining the intention of Ski Hearth Farm to have a Nordic Ski and Mountain Bike Trails on the property along with the installation of a commercial kitchen for the preparation of take and bake items to sell at the farm stand. They are in the process of applying for a Class C food processing license from the State of NH for the kitchen. Chairman Hern explained that there were 2 special exceptions that we would discuss and hear the special exception for the Trails system first and then move on to the kitchen special exception.

Trail System

David White, Farm Manager, explained that the farm is trying to maintain full time, year round employment for the staff and creating a skiing and mountain biking trail system will allow this. He explained that some daytime events would be a possibility although they do not have any final details at this time. He explained that they would not be renting equipment and that parking should not be a problem. Allan Clark, Sugar Hill Fire Chief, stated that he strongly supports what the farm is trying to accomplish but would suggest that the Board put 2 conditions on the approval of this special exception. He stated that he would suggest a Site Plan review because he is concerned about parking, traffic and the current preschool on the premise and second he would suggest that an assembly permit is needed from the Fire Department when an event is happening when more than 100 people will be attendance per RSA 155:17-39. Joe Cushing, abutter, stated that he is very happy with what he is seeing at the farm. Ken King, abutter, stated that is was in favor of this but had concerns about noise. David White stated that any event on the trails would have a very low volume and that the only impact of noise he would see might come from the grooming of the trails. With no more comments or questions Chairman Hern closed the hearing portion of the meeting so that the Board could discuss it. John Colony questioned if the current setbacks apply to the trail system. Mike Hern answered that the setbacks did not apply to the trail system. The Board discussed the 2 conditions proposed by Chief Clark and The Board discussed adding a

third condition that the trails are to be used only by non-motorized vehicles with the exception of maintaining the trail system. With no more discussion, on a motion made by Mike Hern, seconded by Don Boissonneault the request for a special exception for a trail system was moved to be accepted with the following conditions:

1. Site Plan approval is needed by the Planning Board
2. An Assembly Permit is needed for any event that has more than 100 people outside the normal course of business
3. The trails are not for use by motorized vehicles with the exception of maintaining the trails

The motion PASSED UNANIMOUSLY with the 3 conditions applied.

Variance for Commercial Kitchen

Mike Hern stated that on the application the variance included a farm stand but the farm has always had a farm stand so he felt that it was not needed to be part of the variance. Farm Manager, David White explained that the idea for a commercial kitchen came as a way to help the farm to capture all the produce produced by the farm. He explained that it was a small kitchen. They had discussed the option for renting out the space to the public for use of preserving (ex. Canning). They explained that they have a new well drilled and that they currently employ 14 full time staff in which 3 of them will return to school in the fall. Allan Clark, Fire Chief, stated that the fire department has 2 concerns. The first concern they have is that this will turn into a restaurant in the future and he would like to see a condition put on the variance that would prohibit a restaurant in the future. The second is that it would be subject to a Site Plan Review. With no more discussion the hearing was closed so the Board could review.

The Board discussed the variance and voted on the following questions:

1. The value of the surrounding properties would not be diminished - Yes
2. The variance would not be contrary to the public interest – Yes
3. Denial of the variance would result in unnecessary hardship to the owner – Yes
4. Substantial justice would be done – Yes

The variance is consistent with the spirit of the ordinance – Yes

On a motion made by Mike Hern, seconded by John Colony the request for a variance for a kitchen was moved to be accepted with the following condition:

1. There will be no catering on the premises of non-farm related events or third party events

The motion PASSED UNIMOUSLY with the condition.

On a motion made by Mike Hern, seconded by John Colony the minutes of the September 18, 2012 meeting were approved. PASSED UNANIMOUSLY.

With no more business, on a motion made by Don Boissonneault, seconded by Mike Hern the meeting was adjourned.

Submitted by:

Amy Venezia

Secretary to the Zoning Board of Adjustment