

**WEARE, NEW HAMPSHIRE PLANNING BOARD**  
**FEBRUARY 14, 2019 Meeting FINAL Minutes**

**Present:** Craig Francisco, chairman; Bruce Fillmore, Jr., vice-chairman; Neal Kurk, secretary; Chip Meany, Land Use Coordinator.

Guests: Kevin Bishop, Eric Marquis, Dennis Dupuis, Colleen Able.

**I. CALL TO ORDER**

The meeting was called to order at 7:02.

**II. CONCEPTUAL REVIEW Kevin Bishop 96 Peaslee Hill Road, Tax Map 405, Lot 47.1.**

Applicant wishes to sell classic vehicles in a Residential Zone. Mr. Bishop rose and spoke. He is looking to use existing garage to continue to sell classic and vintage motor vehicles. He anticipates to sell over 5 annually, and therefore a license from the State of NH is required. He needs clarification from the Board on the allowed uses for this Residential Zone. He premised the conversation stating that the house has alarms and cameras, traffic will not be increased and the state will require a sign for this business license. Mr. Kurk read a description from the Zoning Ordinance on home based businesses in a Residential Zone. Mr. Bishop then explained the primary use of the structure has at least 750 dedicated feet. The state will come out to do a site review. Mr. Fillmore said the definition says what the character of the business needs to be, not what products are being sold. There is a distinct difference between selling a product verses selling a service. Mr. Meany said that 17.2.4 is the variance you will need to present to the Zoning Board. Mr. Bishop asked if there was anything else was needed. Mr. Francisco stated to make sure you cover the use in the variance application.

**III. CONCEPTUAL REVIEW Dennis Dupuis 848 South Stark Highway, Tax Map 408, Lot 164.**

Applicant wishes to reconfigure existing residential structure in a Commercial Zone. Mr. Dupuis rose and stated he is seeking to separate a 4-bedroom section into (1) 3-bedroom apartment and (1) 1-bedroom apartment. This would in effect make the home a 3-family dwelling. An additional 3-acre easement exists for nitrate setback granted by Mr. Ilsey (our neighbor). Mr. Fillmore told the applicant there needs to be a 5-bedroom septic system. Mr. Meany said there is legality of the extra bedroom if you look at the footprint; the existing situation was grandfathered. Mr. Fillmore asked if the applicant was going from 2 to 3 dwelling units. This is what matters. It is a multifamily allowed in Commercial Zone. Mr. Meany referenced Article 10. The applicant stated he purchased the home as a multifamily. Mr. Kurk stated there will need to be site plan approval, parking must be paved completely and buffer strip is needed. Mr. Fillmore said this is a new application, therefore it is looked at as a new use. Mr. Kurk said the size of the septic system is an issue. Mr. Dupuis told the Board he has enough parking for 5 cars. Mr. Kurk said a site plan is needed as it is considered a business because it is multi-family.

Mr. Meany stated that two variances will be needed because of the apartment over the garage. Seek the following: (1) buffer area, residential (2) lot area. Also, you will probably have to increase the size your septic. This must be installed before anyone can move into the residence.

#### **IV. CONCEPTUAL REVIEW Colleen Able 35 General Knox Road, Tax Map 411, Lot 160.**

The applicant wishes to have a distribution center for hard cider in a Rural Agricultural Zone. Mr. Kurk confirmed she is not in the overlay. Ms. Able explained she needs a bonded winery license that requires a separate space in order to fulfill State of NH regulations. The proposal is for a hard cider distribution center in either bottles or cans for local businesses to sell. We are a delivery service only. Mr. Kurk inquired if there would be a tasting facility; that would fit into the Rural Agricultural model. Ms. Able declared not at this point. Mr. Meany stated that she needs a site plan. Mr. Fillmore said she needs a variance for the use: Article 17.3.2 or 17.3.4 (allowed uses). Processing needs a variance to allow use. Mr. Fillmore noted Article 3.11 - right to farm on pg 10 and stated that thirty-five percent of product has be sold on the property. Mr. Kurk inquired how the neighbors would be affected; is there refrigeration (noise). The applicant stated the neighbors would not be affected; the product is not refrigerated. Her goal is to make fifty-five gallons of product at a time, producing up to 300 gallons a year, at most. Manufacturing or processing businesses are not allowed in a Rural Agricultural Zone. A variance will be needed to move forward.

**V. APPLICATION FOR DRIVEWAY PERMIT Eric C. Marquis 182 Buzzell Hill Road, Tax Map 204 , Lot 84.2.** Applicant requests to construct one driveway entrance and disclosed there are stonewalls involved. Mr. Marquis continued to explain that he needed permission for a temporary driveway, as he is putting in a swimming pool. The recommendation is to remove 30' on Lot 204. Mr. Francisco stated approval is conditioned on the return of the rocks to restoration. Mr. Kurk moved, Mr. Fillmore seconded and the motion to recommend permission to the Board of Selectman passed unanimously.

#### **VI. MINUTES**

The following minutes were approved:

- \*July 26, 2018: Mr. Fillmore moved to approve as corrected.  
Mr. Kurk seconded; passed, 3-0.
- \*August 9, 2018: Mr. Kurk moved to approve as corrected.  
Mr. Fillmore seconded; passed, 3-0.
- \*August 23, 2018: Mr. Kurk moved to approve as corrected.  
Mr. Fillmore seconded; passed, 3-0.
- \*September 13, 2018. Mr. Kurk moved to approve as corrected.  
Mr. Fillmore seconded; passed, 3-0.
- \*October 11, 2018. Mr. Kurk moved to approve as corrected.  
Mr. Fillmore seconded; passed, 3-0.
- \*October 25, 2018. Mr. Kurk moved to approve as corrected.  
Mr. Fillmore seconded; passed, 3-0.
- \*November 11, 2018. Mr. Fillmore moved to approve as corrected.  
Mr. Kurk seconded; passed, 3-0.
- \*November 15, 2018. Mr. Fillmore moved to approve as corrected.

Mr. Kurk seconded; passed, 3-0.

\*December 6, 2018. Mr. Kurk moved to approve as corrected.

Mr. Fillmore seconded; passed, 3-0.

The November 8 minutes were tabled to next meeting.

## **VII. ADJOURNMENT**

Mr. Francisco stated the meeting had now officially ended, noting the time as 9:26 p.m.

*Respectfully submitted,*

*C. Provencher*

*Transcribed from notes*