

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **JULY 11, 2019**

4 **PRESENT:** Peter White, Chair; Michael Jewczyn, Vice Chair; Joseph Butler; Richard Osborne; Jeffrey
5 Claus; Suzanne Gottling, Ex-Officio Member; Michael Marquise, Planner

6 **ABSENT:** Randy Clark; Donna Larrow, Alternate Member

7 **See attached sign in sheet**

8 Chairman White called the meeting to order at 7:00 pm.

9 **CONTINUATION: PARCEL ID: 0133-0019-0000: SITE PLAN REVIEW: ADDITION OF SMALL OUTDOOR**
10 **PATIO IN FRONT OF RESTAURANT; 45 MAIN ST; 350 ENTERPRISES, LLC.**

11 Mr. Marquise said that he was in contact with the surveyor for this property last week who is trying to
12 get the right of way determined. He has not heard from anyone since then and is assuming the case
13 should be continued to the August 8th meeting.

14 **PARCEL ID: 0237-0006-0000: SITE PLAN REVIEW: BUILD A SUGARHOUSE FOR PRODUCTION & RETAIL**
15 **SALES; 524 STAGECOACH RD; HARDING HILL FARM, LLC.**

16 Mr. Marquise said that the application was filed in advance, the fees were paid, abutters were notified,
17 and notices were posted. The application falls under Article V of the Site Plan Regulations and there
18 were a few items that were missing from the originally submitted plan but it looks as though they have
19 all been included on the updated plan. Mr. Marquise continued that the normal items that are waived
20 such as hazardous waste were not included but they can be discussed if needed; therefore, he believes
21 that the application is complete.

22 Vice Chair Jewczyn asked and Mr. Marquise confirmed that they have done a septic design plan. Vice
23 Chair Jewczyn asked and it was confirmed that the abutters have been notified.

24 Mr. Osborne made a motion to accept the application as complete for Parcel ID: 0237-0006-0000, a Site
25 Plan Review. Vice Chair Jewczyn seconded the motion. The motion passed unanimously.

26 Van Webb, owner, and Doug Gamsby, septic designer, presented the merits of the case. Mr. Webb said
27 that they have been leasing a sugarhouse since 1963 at the Johnson Farm and have decided it is time to
28 build a sugarhouse on property that they own on the corner of Route 103 and Stagecoach Rd. Food
29 safety regulations are beginning to come after small producers like them and they have had inspectors
30 ask about restroom facilities, hot and cold running water, mice, etc. They do not own their current
31 building and have decided to build their own building with a retail space.

32 Mr. Webb said that they run a reverse osmosis machine and they will have a spreader field to take care
33 of the water that they produce through that operation. They will have a bathroom in this building as
34 well as a drilled well.

35 Mr. Webb said that the property is governed by a conservation easement held by Ausbon Sargent Land
36 Preservation Trust and one of the allowed uses under the easement is the construction of a sugarhouse.

37 Mr. Webb said that they hired Mr. Gamsby to do the Site Plan and design the septic plan. Mr. Gamsby
38 and Mr. Webb explained the reverse osmosis system to the Board. The building will only really be used
39 mid-February to mid-March except for limited additional retail hours the rest of the year. Mr. Butler
40 asked and Mr. Webb confirmed that the water for the system is about 30-40 degrees, not hot water.

41 Vice Chair Jewczyn asked and Mr. Webb said that they use approximately two pounds of sodium
42 hydroxide annually. Vice Chair Jewczyn asked and Mr. Webb said that it has been suggested that they
43 neutralize the sodium hydroxide before it is put into the leach field but most people do not.

44 Mr. Butler asked why they need all of the parking spots shown on the plan. Mr. Webb said that they do
45 retail sales on the weekend and the NH Maple Producers runs a "maple weekend" so they could see a
46 lot of traffic there with some people even parking on the road similar to the Sanctuary Farm Ice Cream
47 Shop. Mr. Butler asked and Mr. Webb said that people purchase products and also watch the maple
48 syrup being processed. Mr. Marquise asked and Mr. Webb said that typically they have not spoken to
49 the Police Chief before maple weekend, however, they can do that. They have had the Fire Department
50 to the current facility many times because the fire sparks out of the chimney and it looks like there is a
51 fire and people call it in.

52 Vice Chair Jewczyn asked and Mr. Webb said that the conservation easement allowance does not specify
53 anything about the building size. Vice Chair Jewczyn asked and Mr. Webb confirmed that the parking
54 area will be gravel. Vice Chair Jewczyn asked and Mr. Webb said that they will plow the lot
55 conventionally and then he does not think that they should have issues with the snow. The snow will
56 not be plowed towards the State highway; there will be plenty of space to store snow on site.

57 Mr. Butler asked and Mr. Webb said that they do have lights indicated on the Site Plan and explained
58 the location of the proposed lights to the Board.

59 Vice Chair Jewczyn asked and Mr. Webb explained that the operation is weather driven. Typically, sap is
60 gathered in the morning and they boil from mid afternoon until the evening; the busy days they may
61 start at 8:00 am and end at 8:00 pm.

62 Vice Chair Jewczyn asked and Mr. Webb said that they use wood for their fire. Vice Chair Jewczyn asked
63 and Mr. Webb explained that they cannot leave any heat in the evaporator because the material will
64 burn and the machine is expensive. It is a forced air evaporator with a closed system so when the fire is
65 put out it goes out.

66 Mr. Claus asked and Mr. Webb explained that one of the lines on the plan that goes to the level
67 spreader is the foundation drain and the other is the RO line.

68 Mr. Butler asked and Mr. Webb said that there are not many sugar maples to tap in the area that this
69 building will be located; the sap will be trucked in from other areas. Chairman White asked and Mr.
70 Webb explained that the truck they use is a 1-ton truck with a 750 gallon tank. There is a 12 ft gravel
71 drive around the whole building that will be used for the delivery of the sap. Chairman White asked and
72 Mr. Gamsby confirmed that one of the turns is fairly tight. Mr. Webb explained how they plan to deliver

73 the sap. There was further discussion regarding the truck they use for the sap as well as about the sap
74 collection.

75 Chairman White asked and Mr. Marquise confirmed that according to the numbers the parking is
76 appropriate for the retail business. There was further discussion regarding this matter.

77 Mr. Butler asked and Mr. Webb explained that the building will be supplied through A & P Lumber in
78 Penacook and it will be a modified timber frame building with a metal roof. Chairman White asked and
79 Mr. Webb said that they will be insulating the retail area. Chairman White asked and Mr. Webb
80 explained that they will be storing sap and concentrate above the retail space so they will have stairs
81 that will go to the loft.

82 Mr. Marquise said that regarding the required vegetative buffer from the State road, the driveway is
83 exempt under the Zoning Regulations but it is understood that the rest of the vegetation will remain.
84 Mr. Webb gave an explanation regarding the crop tree management that they have done on the lot.
85 There was further discussion regarding the vegetative buffer and the trees that are existing on the lot.

86 Mr. Butler asked and Mr. Webb explained that the sodium hydroxide is a commercial soap that is used
87 for reverse osmosis machines. It is supposed to lift the bio-solids off membranes because it is the
88 membranes that separate the sap sugar molecules from water molecules. At the end of the day when
89 they have processed 4,000 to 6,000 gallons of sap, there is an accumulation of bio-solids on the
90 membranes. The soap is formulated by the evaporator manufacturer and is meant to flush the bio-
91 solids off. Mr. Webb continued to explain the process of flushing the bio-solids to the Board and said
92 that most maple producers flush the water right onto the ground, they do not use leach fields. Mr.
93 Gamsby said that he spoke to someone in the DES Subsurface Bureau and was told that it is considered
94 to be "high strength wastewater" but that anything not residential is considered to be "high strength
95 wastewater". Mr. Webb and Mr. Gamsby said that it is recommended to neutralize the water before it
96 is flushed so that when it goes into the leach field it does not kill the good bacteria. Chairman White
97 asked and Mr. Webb said that he does not believe that the sodium hydroxide is that hazardous on its
98 own. Vice Chair Jewczyn said that it is corrosive. Chairman White asked and Mr. Webb said that they do
99 not have to call anyone if they spill any of it.

100 Chairman White asked and Mr. Webb said that on the building they will have a Harding Hill Farms sign, a
101 NH Maples Producer Association sign, and a Pure NH Maple Syrup sign. They are not currently going to
102 have any signage on Route 103 or on Stagecoach Rd. The signs will be unlit and approximately 18 x 24.
103 Mr. Webb asked if they decide they would like a sign on the road if they will need to come back before
104 the Board. Mr. Marquise said that he thinks that they can come back in and get a sign permit. Chairman
105 White said that they just want to make sure that there are no signs located in the right of way.

106 Chairman White asked if there is a minimum distance that a driveway can be from the intersection of a
107 road. Mr. Webb said that the Highway Director approved the driveway permit and he would assume
108 that he would know if it was too close to the State right of way.

109 Chairman White asked and Mr. Marquise said that they did not have Peer Review meeting, however, the
110 proposed plan was circulated to all of the Department Heads and there were no comments.

111 Chairman White asked and Mr. Webb said that all of the lighting will be down lighting. The lighting will
112 be located on the building in three locations. Mr. Gamsby said that they are indicated on the Site Plan
113 as little triangles.

114 Chairman White asked and there were no additional questions from the Board or anyone in the
115 audience.

116 Mr. Osborne asked and Mr. Marquise said that the only condition that he would recommend on an
117 approval is that on maple weekend they contact the Police Department regarding parking on the road.
118 Chairman White said that the gravel driveway could also be expanded a little for additional parking and
119 to allow the turning radius along the backside to be a little bigger. Chairman White asked and Mr. Webb
120 said that the sap truck can be unloaded once to three times a day depending on the day.

121 Mr. Osborne made a motion to approve the Site Plan Review for Parcel ID: 0237-0006-0000 with the
122 condition of notifying the Police Department of any weekends that they think that they may have
123 significant traffic. Vice Chair Jewczyn seconded the motion. The motion passed unanimously.

124 **CONSULTATIONS: SOO-NIPI REALTY TRUST LLC, NEW BUSINESS – NORDIC SKATER**

125 AJ Parks presented the case to the Board.

126 Mr. Marquise said that this property has an approved Site Plan from 2012 for a general takeout food
127 service. There have been several Statement of Property Usages since then and is currently Stacy's
128 Smoothies. Generally, the Statement of Property Usage forms have just been signed off on by the staff,
129 however, there was a question at the last meeting about the new signs and potential new business. He
130 has reviewed this with the Zoning Administrator and as the current business has not been very intense,
131 they do not feel as though this is an actual increase but there was a concern because the other business
132 has not gotten any smaller. Mr. Marquise continued that they felt it was appropriate that this business
133 come before the Board for a consultation and then the Board can determine whether or not they feel a
134 Site Plan Review is necessary.

135 Mr. Butler asked and it was confirmed that this new business will be in the same location that Stacy's
136 Smoothies is located. Mr. Parks said that they occupy roughly half of the inside of the building. They
137 retail and rent paddleboards, boat tubes, life jackets, sunscreen, sunglasses, some apparel, etc. Their
138 main store is located in Newbury in the old Outspoken building on the corner of 103A and 103. They
139 had the opportunity through Soo-nipi Realty Trust to occupy the space in Sunapee. He has a Site Plan
140 that the owner of Stacy's Smoothies said that she submitted and they are operating in the retail space
141 that she had indicated on that Site Plan. Mrs. Gottling asked and Mr. Parks said that people enter his
142 space through the same door that is used for Stacy's Smoothies. Mr. Parks said that Stacy got rid of the
143 majority of her tables and most of her seating is outside; they have their products where the tables were
144 located.

145 Chairman White asked and Mr. Parks confirmed that they share employees with Stacy's Smoothies; he
146 goes back and forth between the two stores but if he is not there then the Stacy's Smoothies employees
147 watch his store.

148 Mr. Butler asked and Mr. Parks confirmed that they do have a boat for sale at the site. Mr. Parks said
149 that they sell boats out of their Newbury location. Chairman White asked if the boat is occupying any
150 parking spaces and Mr. Parks said that it is on the lawn behind the building. Mr. Butler asked if the sale
151 of boats will be ongoing or if it is just this one boat. Mr. Parks said that they plan to do it continuously.
152 Mr. Osborne asked and Mr. Parks explained the types of boats that they sell. Chairman White said that
153 his concern for this proposal is the boat sales. Mr. Parks said that there will never be more than one
154 boat on site; they have three boats at their Newbury location and the boat they have in Sunapee is their
155 demo boat; the boats will also not be there year-round. Chairman White asked and Mr. Parks confirmed
156 that the boat is on the property. Mr. Butler asked and Mr. Marquise confirmed that Zoning allows the
157 boat sales as it is retail space.

158 Mr. Marquise said that one question that came up in the Peer Review discussions was regarding the
159 paddleboards that are rented as there could be a temptation to go in the Lake across the street and
160 people are not supposed to go in there. Mr. Parks said that customers take paddleboards from this
161 location and they deliver them as well. They make sure that they tell their customers the laws of the
162 State and local government; for example, paddleboards are considered a vessel by the State and
163 lifejackets are required so they rent and sell lifejackets. They also sell floats and people ask where they
164 can bring them and they educate them as to where they can and cannot go with the products.

165 Mr. Butler asked and Mr. Parks confirmed that the products are out for display during the day and then
166 brought inside at night.

167 Vice Chair Jewczyn asked and Mr. Parks said that if someone wants to purchase the boat that they have
168 they will pull it out and deliver it to the customer. The current boat is a demo boat and they have a
169 banner sign there that lets people know that they offer them for sale.

170 Mrs. Gottling asked and Mr. Parks confirmed that the paddleboards are inflatable; once they are fully
171 inflated they are as firm as a fiberglass paddleboard. Mr. Parks continued explaining the paddleboards.

172 Mr. Butler asked and Mr. Parks confirmed that they are subleasing the space from Stacy's Smoothies.

173 Vice Chair Jewczyn asked and Mr. Parks said that they store the paddleboards inflated. There was a
174 discussion regarding lifejackets.

175 Mr. Butler asked and Mr. Parks said that he has no plans to expand. They have been in business since
176 2002 and in Newbury for two to three years; they were in Norwich before as a cross-country ski shop
177 and they sell cross country skis and Nordic ice skates. Chairman White asked and Mr. Parks said that
178 they do not have any plans to remain open year-round in the Sunapee location. There was further
179 discussion regarding the products they sell and what they do in the summer and winter.

180 Chairman White said that the only thing that sounds concerning to him is the boat sales because it could
181 grow into more than one boat at a time. Mr. Parks said that there is no space on the property to have
182 more than one boat and they do not want to have more than the number of boats they have between
183 the two locations. Mr. Claus asked and Mr. Parks confirmed that they would like to have the demo boat
184 in the water but there are no slips for sale on Sunapee at the moment that would fit the demo.

185 Chairman White asked the Board if they feel as though this business falls under the current Site Plan or if
186 it needs to come back for a new Site Plan Review. Vice Chair Jewczyn said that he is pro-business and if
187 there is a concrete proposal he thinks that they should be able to proceed unless Mr. Marquise sees any
188 pitfalls. Mr. Marquise said that they have put on the Statement of Property Usage form exactly what
189 they are going to be doing. It sounds like there will not be an increase in the number of employees or
190 the business space; the only change is this boat, which is a single item display. He does not see any
191 intensity change that would affect the site. Mr. Gottling asked if there is any issue with the
192 paddleboards lined up on the side of the building. Mr. Marquise said that he does not see any problem
193 with them.

194 Mr. Butler asked and Mr. Parks said that their hours of operation are a little shorter than Stacy's
195 Smoothies; Stacy's Smoothies hours are 8:00 – 4:00 and their operation is 9:00 – 4:00. Mrs. Gottling
196 asked and Mr. Parks said that there is a sign and they have applied for a sign permit.

197 Mr. Butler said that the only issue that he has is regarding the boat. He would like the Site Plan updated
198 to include where the boat will be located. Chairman White asked the Board if they feel as though the
199 nature of what is going on requires a Site Plan. There have been a lot of businesses that have been in
200 the building that have not required a Site Plan because it did not change the nature of the business or
201 the intensity. The Board needs to determine if this business is too much of a change to just accept
202 under a Statement of Property Usage. Mr. Butler asked and Mr. Marquise explained the different
203 businesses and changes that have occurred since the original Site Plan. Mr. Butler said that his only
204 concern is the boat and he does not want the boat business to increase the service and require more
205 storage and such. Mr. Claus asked if there is a way to address this issue without going through a Site
206 Plan Review. Mr. Marquise said that they could just have commentary on the Statement of Property
207 Usage that there will only be one boat on site and that it will not affect parking. The Board agreed that
208 this would be acceptable. Mr. Claus said that the retail space is not increasing and from his observations
209 they are not increasing the intensity. There was further discussion regarding this matter and it was
210 determined that the statement regarding the boat can be added to the Statement of Property Usage
211 and they will not require a Site Plan Review.

212 **OTHER BUSINESS**

213 Vice Chair Jewczyn asked and Mr. Marquise said that if he would like to have a consultation with the
214 Board he can request to be put on the next agenda.

215 Mr. Marquise said that everyone should have received the Subdivision Regulations and he has received
216 feedback from Mr. Clark. He would like to review the Subdivision Regulations at the August meeting
217 and requested the Board send him comments and questions before the meeting.

218 **MINUTES**

219 Changes to the Planning Board minutes from April 11, 2019: The minutes were continued to the next
220 meeting.

221 Changes to the Planning Board minutes from June 13, 2019: The minutes were continued to the next
222 meeting.

223 **MISCELLANEOUS**

224 Mr. Marquise said that he and the Zoning Administrator met with Michael Lemieux at his property on
225 Route 11 that has the rock excavation. They looked at the buffering and there was one tree that was
226 taken out because Mr. Lemieux was concerned about its proximity to the road; he is not going to take
227 any more trees out. Behind that area, there have been some trees taken off the top but there is a 15 ft
228 wide area that did not have any vegetation behind it to start so it opens the visual because it is not 25 ft
229 of vegetation. Chairman White asked if Mr. Marquise feels as though the intent of the buffer has been
230 met. Mr. Marquise said that he believes that it has; there is just one area that did not have any
231 vegetation to begin with.

232 Mr. Butler asked and Mr. Marquise briefly went over the hearings for the August meeting.

233 Mr. Osborne made a motion to adjourn the meeting at 8:25 pm. Mr. Butler seconded the motion. The
234 motion passed unanimously.

235 Respectfully submitted,

236 Melissa Pollari

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241 Planning Board

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243 Peter White, Chairman

244 _____

245 Joseph Butler

246 _____

247 Jeffrey Claus

248 _____

249 Donna Davis Larrow, Alternate

Richard Osborne

Randy Clark

Michael Jewczyn

Suzanne Gottling, ex-officio member