

**TOWN OF EPSOM  
ZONING BOARD OF ADJUSTMENT MEETING  
Epsom Town Offices Meeting Room  
May 18, 2022, 7:00PM**

**PRESENT**

Glenn Horner, Chair  
Andrew Ramsdell, Vice Chair  
Alan Quimby, Member  
Prescott Towle, Alternate Member  
Ryan Kehoe, Alternate Member

**ALSO PRESENT**

Jennifer Riel, Recording Secretary  
Seth Little, applicant  
James Christie, applicant  
Sarah Christie, applicant  
Virginia Drew, Board of Selectmen

**CALL TO ORDER**

Chair Horner called the meeting to order at 7:01PM.

Introductions were made of the Board members present.

Chair Horner stated there may not be a Planning Board representative to the Board as it has been determined that the representative is to be appointed by the Board of Selectmen.

**APPROVAL OF MINUTES**

Meeting of March 16, 2022 – The minutes were reviewed and edits were made. **Mr. Ramsdell made a motion to approve the minutes as amended. Mr. Towle seconded the motion. Motion passed, 5-0-0.**

*Case 2021-13 (Little - SE) [Continuance]- Seth Little has applied for a Special Exception per Article II [Zones and Districts], Section C [Table of Uses], Numbers 3 [Eating and drinking places not including drive-in establishments] and 27 [Manufacturing]. The applicant plans to open a Nano-brewery, which will sell retail beer brewed on site, and include a place for eating and drinking. The property is located at 940 Suncook Valley Hwy (Circle Plaza) within the Residential/Commercial Zone and is identified on Epsom Tax Map U-15 as Lot 55.*

Chair Horner stated the public notice was advertised in the *Concord Monitor*; posted at the Town Offices and the Epsom Post Office. He confirmed certified mail notices were mailed to all abutters and receipts were received for all abutters.

Chair Horner read the public notice into the record.

Chair Horner stated the proposal includes 30 outside seating, inside seating for 50 for a total of 92 seats; quantity served is expected to be 2 full pint per customer; hours of

operation would be 5:00PM to 10:00PM. Input from the Water District confirms there will be adequate water; it was determined parking will be adequate as the hours of operation will be after the hours of operation of other businesses in the plaza.

Mr. Little stated he met with the Police Department and presented a new layout design which was tweaked from the last meeting. He stated he discussed the concerns about being open next to the daycare but there are no concerns from the Police Department as the hours of operation will be after the daycare is closed; he explained the policies reviewed which will address proper serving of alcoholic beverages. He stated the manufacturing license will limit it to 2 pints per person.

Mr. Little stated there were concerns about access to the outside seating so they shifted it back 5' and will put in a door from the side so there won't be access from the front side; it will be 32' to the lamppost and 25' from the corner of the seating area to the propane tank barriers. Chair Horner asked if the propane tank barriers can be moved. Mr. Little stated they could probably be moved with a snowplow but he doesn't see a problem with those who need to get through, to pass by. He stated he spoke to Dollar General, and deliveries are done by a third party trucking company, but he doesn't see it impacting the brewery parking and seating which will be up against the building.

Mr. Quimby asked if there will be retail brewing. Mr. Little stated yes, the brewery will be in the back with the taproom in the front for onsite consumption; retail four packs will be available for sale. He stated they will be able to do self-distribution with the manufacturing license.

Mr. Ramsdell asked if there were any comments from Police and Fire with the revised plans. Mr. Little stated there are no concerns; he explained with the license, signage is required indicating no alcohol beyond a certain point. He stated it is overseen by the liquor enforcement agency.

Mr. Ramsdell asked what the boundary would be. Mr. Little stated they are planning to use concrete jersey barriers around the seating area. Mr. Ramsdell stated he doesn't see how there will be parking at the end of the building, although there are spaces marked there currently. Mr. Little presented plans depicting proposed parking areas; he noted an ariel view indicates 8-10 spaces at the end but they won't be encouraging people to park in the area. Chair Horner suggested they put in the condition that the parking at the end has to be abandoned. Mr. Ramsdell stated the expansion with the seating area is basically expanding the building space. He stated he thinks there needs to be a more substantial barrier on the south west front corner and overall there will be plenty of parking for the rest of the plaza. Mr. Little stated if the parking area on the end is eliminated, the only traffic will be delivery trucks. He stated there could also be No Parking signs put up.

Mr. Little presented a contract with Holden Engineering for a feasibility study in regard to the septic system. Chair Horner asked if it would look at the entire system and current units. Mr. Little stated the study is not yet complete; he stated it will consider the additional impact of the brewery on the current system capacity. Mr. Little stated they are required to have 20 gallons per seat of capacity and 100 gallons per day for the brewery. Mr. Towle asked how much brewing waste there will be. Mr. Little explained the process

which includes taking the by-products offsite; water will be captured to filter out solids and treated with oxygen for slow release back into the system. He stated they plan to do 100 gallon batches. All this will be factored into the study by Holden Engineering.

Mr. Quimby asked when he expects to open the business. Mr. Little stated they are working with the Town as the project involves the Town Offices; he stated he is planning for this project to take some time to get up and running. Ms. Drew stated the Town appreciates how Mr. Little is not pushing them out, but they are working to move forward with moving the Town Offices; she stated if there are too many issues, the offices can be moved down the plaza into another unit. Ms. Drew explained the septic at the new location has been an issue and adjustments are needed to satisfy NH DES.

Chair Horner opened the public hearing to input from the public.

Mr. and Mrs. Christie stated they are in favor of the approval and plan to work with Mr. Little to supply their establishment in the future.

Chair Horner stated a continuance will be needed until they can get the feasibility study and information on the septic. It was agreed to continue the public hearing to June 15, 2022 at 7:00PM.

**Mr. Quimby made a motion to continue the public hearing for Case 2022-02 to June 15, 2022 at 7:00PM. Mr. Ramsdell seconded the motion. Motion passed, 5-0-0.**

*Case 2022-03 (Homestead Financial Group, LLC - SE) - Homestead Financial Group, LLC, James Christie principal officer, has applied for a Special Exception per Article II [Zones and Districts], Section C [Table of Uses], Number 3, [Eating and Drinking Establishments] to add a small snack bar serving food and beverages, including alcoholic beverages, inside the existing sports facility. The property is located on Gauthier Drive within the Residential/Commercial Zoning District and is identified on Epsom Tax Map U-08 as Lot 82.*

Chair Horner stated the public notice was advertised in the *Concord Monitor*; posted at the Town Offices and the Epsom Post Office. He confirmed certified mail notices were mailed to all abutters and receipts were received for all abutters except two, County Campers and Innovative Flex Space, LLC.

Chair Horner read the public notice into the record.

Chair Horner opened the public hearing at 7:51.

Mr. Christie stated he is the owner of the new sports complex, Elite Sports Academy, on Gauthier Drive; he clarified Homestead Financial is the landowner, and they own both entities.

Mr. Christie stated they have 7' by 16' space they want to turn into a snack shack with a small seating area and serve beer and wine. He stated there won't be any glass, it will all

be in cans and no draft lines which will allow them to control spills and how much is going out.

Mr. Christie presented a diagram for the proposed layout; there will be a three bay sink and stainless steel counters which is required by the State of NH. He stated there would be booth style seating with a couple pub style tables; it will be out of the way of foot traffic within the facility. He stated there will be strict lines for No Alcohol zones and this is overseen with the State of NH.

Mr. Christie stated the food will include healthy foods like sandwiches, salads as well as hotdogs, nachos, etc. He stated North Point Construction is the contractor and as there won't be any grease going into the drains and no increase in usage, the newly installed septic system will be adequate.

Ms. Christie stated everything they are showing on the plans was recommended by the State liquor commissioner.

Mr. Christie stated this proposal is common in sports facilities in the State; he stated there will be training for all employees serving alcohol.

Mr. Ramsdell asked how the size of the prep area compares with the other facilities. Mr. Christie stated this will be larger than most; he stated all the food prep will be done on site, but they may bring in some local options as well. He stated they will be using paper products for serving. He presented a copy of the septic plan.

Chair Horner opened the hearing to input from the public.

Mr. Little stated he is a commissioner with the Epsom Youth Athletic Association, and it's been a good partnership with the Christies and he is in favor of the application. He stated it will be beneficial for the families with a busy schedule and afford them opportunity to grab a bite to eat.

Mr. Ramsdell asked if there is a sprinkler system in the proposed snack shack area. Mr. Christie confirmed there is.

Chair Horner outlined proposed conditions which include all state and local licenses will be required; no hard alcohol or mixed drinks; food to be served on disposable materials and no greasy foods will be served. He suggested they go to the Planning Board for an update to the site plan.

The public hearing was closed at 8:11PM.

### ***Special Exception Discussion***

*After reviewing the petition, hearing all of the evidence and taking into consideration the personal knowledge of the property in question, the general conditions of a special exception are evaluated as follows:*

1. A complete plan for the proposed development shall be submitted showing location of all buildings, parking areas, access, open space, landscaping and any other pertinent information. Such plan has been submitted to the satisfaction of the board. **YES**

2. The requested use is essential or desirable to the public convenience or general welfare. **YES**

3. The requested use will not impair the integrity or character of the immediate or adjoining areas. **YES**

4. The specific site is an appropriate location for the proposed use and will not be detrimental to the health, morals, or general welfare of the immediate or adjoining areas. **YES**

5. No factual evidence is found that property values in the area will be adversely effected by such use. **YES**

6. No undue traffic, nuisance or unreasonable hazard will result because of the requested use. **YES**

7. Adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use. **YES**

8. All valid objections presented at the public hearing are given full consideration. **YES**

9. The proposed use has an adequate water supply and sewerage system, and meets all applicable requirements of the State. **YES**

**Mr. Kehoe made a motion to approve the Special Exception for Case 2022-03 (Homestead Financial Group, LLC - SE) - Homestead Financial Group, LLC, James Christie principal officer, per Article II [Zones and Districts], Section C [Table of Uses], Number 3, [Eating and Drinking Establishments] for Epsom Tax Map U-08 as Lot 82, with the following conditions:**

1. All federal, state and local licensing shall be obtained prior to commencing food/drink sales;
2. The snack bar beverages shall consist of soft drinks, beer, wine, wine coolers etc. but no hard liquor;
3. Food will be served on disposable materials to minimize dishwashing and no greasy foods will be served to minimize impact on the septic system.

**Mr. Quimby seconded the motion. Motion passed, 5-0-0.**

## **Board Elections**

**Mr. Ramsdell made a motion to appoint Glenn Horner as Chair of the Zoning Board of Adjustment. Mr. Towle seconded the motion. Motion passed, 4-0-1. Mr. Horner abstained.**

**Chair Horner made a motion to appoint Mr. Kehoe as Vice Chair of the Zoning Board of Adjustment. Mr. Quimby seconded the motion. Motion passed, 4-0-1. Mr. Kehoe abstained.**

The Board discussed the Planning Board representative seat on the Board. Chair Horner stated they need to meet with the Board of Selectmen and Planning Board to iron this out. Ms. Drew explained when Ms. Bosiak was put on the ZBA, it didn't go through the Board of Selectmen who are supposed to appoint the position. She acknowledged a person has been a voting member of both boards in the Town for many years, but New Hampshire Municipal Association strongly advises against do so. She stated the Board of Selectmen are working to resolve this. Mr. Ramsdell stated they should listen to the advice they are receiving and just because its been happening for years doesn't mean it should continue.

Ms. Drew explained the Board is allowed to have up to five alternates and suggested they seek individuals interested in serving in this capacity.

**ADJOURN**

Chair Horner adjourned the meeting at 9:10PM.

Respectfully Submitted,

*Jennifer Riel*

Jennifer Riel, Recording Secretary