

**TOWN OF EPSOM  
ZONING BOARD OF ADJUSTMENT MEETING  
Epsom Town Offices Meeting Room  
June 15, 2022, 7:00PM**

**PRESENT**

Glenn Horner, Chair  
Alan Quimby, Member  
Gary Kitson, Member  
Prescott Towle, Alternate Member  
Ryan Kehoe, Alternate Member

Andrew Ramsdell, Vice Chair - excused absence

**ALSO PRESENT**

Jennifer Riel, Recording Secretary  
Seth Little, applicant  
Justin Poulin, applicant  
Virginia Drew, Board of Selectmen  
Alana Kitching, resident  
Wayne Marcoullier, resident

**CALL TO ORDER**

Chair Horner called the meeting to order at 7:02PM.

Introductions were made of the Board members present.

**APPROVAL OF MINUTES**

Meeting of May 18, 2022 – The minutes were reviewed. **Mr. Towle made a motion to approve the minutes as presented. Mr. Kehoe seconded the motion. Motion passed, 4-0-1.** Mr. Kitson abstained.

**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.*

Chair Horner stated the public hearing is continued from May 18, 2022; he stated public notices were posted at the Town Offices and post office.

Chair Horner stated at the last meeting there was discussion about the plans which include seating for 50 inside and 30 outside; manufacturing of up to 100 gallons of beer; hours of operation will be Friday from 4:00PM to 10:00PM and Saturday from noon to 10:00PM. There are no plans for food to be provided, per the license. Input was received from the Water District

and there is adequate water supply; the Fire Department will be providing input at a later date. The police Department has discussed the safety and parking but there are no concerns as the hours of operation will be after the hours of the nearby daycare. It was agreed at the last meeting that parking would not be allowed around the corner of the building to allow access around to the backside of the building by delivery trucks. A contract for a feasibility study was also presented.

Mr. Little presented copies of the current feasibility study and a plan for what is being proposed. He stated after there is Town approval, further details can be determined. Mr. Little stated they are proposing expansion of the current leach field or doing chambers underneath the parking lot; he stated per the letter of June 15, the chambers is the recommendation. He explained the projected load for the brewery would be 2,425 gallons per day; the loading for the entire lot would be 4,695 gallons. The Board reviewed and discussed the proposed system. It was confirmed this is a preliminary plan and has not been submitted to the State of New Hampshire Department of Environmental Services. The Board discussed the current usage rate. Mr. Kitson stated that for the last quarter, the minimum amount of water has been used by the entire mall; in the last year, 19,000 gallons were used which comes to 53 per day. Mr. Little explained the Nutrition Fix shop is tied into the grease trap however the pizza shop is not.

Chair Horner opened the hearing to input from the public. None was indicated.

The Board reviewed and discussed the conditions for granting the Special Exception.

**Mr. Kitson made a motion to close the public hearing. Mr. Quimby seconded the motion. Motion passed, 5-0-0.**

The public hearing was closed at 7:45PM.

The Board reviewed the Special Exception checklist for 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 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 impart 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 affected 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.*
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 grant the Special Exception requested for Case 2021-13, 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], property 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, with the following conditions:**

1. *All federal, state and local licensing shall be obtained and verified by the Zoning Compliance Officer prior to commencing commercial alcohol manufacturing and food/drink sales.*
2. *The existing septic system shall be modified to accommodate the projected 1000 gal/day increase in loading either by replacing the existing system or supplementing the existing system with an additional leach field. The design and construction for either of these modifications shall be approved by the New Hampshire Department of Environmental Services and the approval verified by the Zoning Compliance Officer prior to commencing business operations.*
3. *Occupancy shall be limited as follows:*
  - a. *A maximum of 50 people in the interior "Tap Room" area.*
  - b. *A maximum of 30 people in the outside Beer Garden.*
4. *Parking shall be eliminated on the south side of the building and "No Parking" signs installed in this area.*
5. *A safety barrier shall be installed on the SW corner of the outside beer garden.*

*The applicant shall complete the residential site plan review process through the Epsom Planning Board prior to commencing operations.*

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

**Case 2022-04 (Poulin - SE)** - Justin Poulin has applied for a Special Exception, as required by Article III, Section G, Paragraph 1.e.vii, to construct an addition onto an existing home containing a garage with overhead accessory dwelling unit (ADU). The property is located on Samuel Drive within the Residential/Agricultural Zoning District and is identified on Epsom Tax Map R10 as Lot 8-12.

Chair Horner stated abutters were notified by certified mail; the only returned notices were from Dean and Ruth Robinson-Trip; Kevin and Tracy Dublac.

Chair Horner opened the public hearing at 7:55PM.

Mr. Poulin stated he has a new septic design and NH DES approval for the additional dwelling and presented a copy for review by the Board. He stated there will be two separate systems; one for the main house and one for the accessory dwelling unit. Chair Horner asked if there are plans for the existing dwelling. Mr. Poulin stated he has the approval numbers for the existing septic system but doesn't have it here for review. It was confirmed the existing 3-bedroom system is approved with NH DES. Mr. Kitson stated the existing system is irrelevant to this case as the applicant is proposing a new and approved system for the ADU.

The Board reviewed the requirements for an ADU: it was confirmed the primary residence will be occupied by the owner; the ADU doesn't have more than two bedrooms or greater than 850 square feet; one interior door between the ADU and primary home; adequate parking; adequate septic.

Chair Horner opened the hearing to input from the public. None was indicated.

**Mr. Kitson made a motion to close the public hearing. Mr. Kehoe seconded the motion. Motion passed, 5-0-0.**

The public hearing was closed at 8:15PM.

The Board reviewed the Special Exception checklist for 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 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 impart 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 affected 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.*
9. *The proposed use has an adequate water supply and sewerage system, and meets all applicable requirements of the State. YES*

**Mr. Kitson made a motion to grant the Special Exception requested for Case 2022-04, Justin Poulin, as required by Article III, Section G, Paragraph 1.e.vii, to construct an addition onto an existing home containing a garage with overhead accessory dwelling unit (ADU), property located on Samuel Drive within the Residential/Agricultural Zoning District and identified on Epsom Tax Map R10 as Lot 8-1, with the following conditions:**

1. *All ADU requirements contained in the Epsom Zoning Ordinances, including owner occupancy, maximum square footage, etc., shall be observed and adhered to by the property owner.*
2. *The installation of the new septic system servicing the ADU shall be approved through the New Hampshire Department of Environmental Services and the approval verified by the Zoning Compliance Officer prior to issuing an occupancy permit for the ADU.*

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

**ADJOURN**

Chair Horner adjourned the meeting at 8:40PM.

Respectfully Submitted,

*Jennifer Riel*

Jennifer Riel, Recording Secretary