

MINUTES

Fracesttown Zoning Board of Adjustment met Thursday, July 11, 2013 at 7:30 p.m. at the Town Offices, lower level, 27 Main Street, Fracesttown, NH. Present were Tom Lowery, Michael Jones, Scot Heath, Charles Pyle, and Si Little, Board Members. The only item on the agenda was the application of Christina and William Wohle for a Special Exception under the terms of Article VII Section 12 of the Fracesttown Zoning Ordinance to permit a year round farm stand at 1366 New Boston Road, Fracesttown, NH, which farm stand would be selling produce and products of persons other than the applicants.

The Board determined the application had no regional impact. Notice of the hearing was sent to abutters and published in the Monadnock Ledger.

Si Little read the application. In addition to sale of their own produce, Mr. and Mrs. Wohle proposed to sell milk bottled by an area dairy, a local beef farmer's meat, a neighbor's syrup and local New Hampshire made products, including some prepared foods such as baked goods. The Wohle's explained that about 500 to 600 square feet on the lower level of one of the barns would be utilized for the farm stand location. There is appropriate and adequate parking immediately adjacent to that area. The hours of operation would be 8:30 a.m. to 6:30 p.m. 7 days a week, although not all hours on all days. There would be no parking in the street.

No abutters appeared and spoke either for or against the application. B.J. Carbee, Katherine Houghton, Lisa Bourbeau and Polly Freese spoke in support of the application.

Si Little read the criteria to be addressed in obtaining a special exception, viz, appropriate location, not adversely affect value of abutting property, adequate and appropriate facilities, no nuisance or hazards will be created, and the use will not unreasonably burden existing public services.

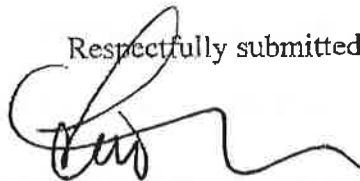


There being no further evidence offered by those at the hearing, on motion of Charles Pyle and second by Michael Jones the public portion of the hearing was closed, five members in favor.

No letter from the Fire Chief or the Selectmen was provided by the applicants signifying that the use or structure complies with the provisions of the Life Safety Code and the status of whether a driveway permit was needed from District 4 New Hampshire Department of Transportation under the provisions of RSA Chapter 236, Section 13 was unresolved. The Board unanimously agreed that the criteria for obtaining a special exception were met by this application **provided** that Mr. and Mrs. Wohle submit to the Zoning Board of Adjustment a letter from the Frankestown Fire Chief or the Selectmen that the proposed use meets with their approval and that it complies with the provision of the Life Safety Code and **further provided** that either a driveway permit or a letter from the NH Department of Transportation indicating a driveway permit is not required for this use is provided to the Zoning Board by Mr. and Mrs. Wohle.

Upon motion by Si Little and second by Charles Pyle, the Board voted unanimously to grant the special exception on the two conditions expressly stated. The Board further noted that Mr. and Mrs. Wohle needed to apply to the Planning Board for site plan approval.

Respectfully submitted,



Silas Little

12 July 2013