

**TOWN OF LYNDEBOROUGH  
PLANNING BOARD MEETING MINUTES  
October 21, 2010**

**MEMBERS PRESENT:** Chairman Tom Chrisenton, Vice Chair Bret Mader, Bob Rogers, Tracey Turner, Mike Decubellis, Larry Larouche, Selectmen's Representative Arnie Byam and Alternates Bill Ball and Julie Zebuhr

Tom Chrisenton began the meeting at 7:30 p.m. with several announcements:

The Board received a copy of a DES Wetland Bureaus Standard Dredge and Fill Application from the NH Dept. of Transportation for proposed work on Route 31, 400 feet south of Gulf Road. They will replace an existing 30" concrete pipe stone headwalls with a new 48" plastic culvert and reconstruct stone headwalls. All work is to take place within the State Right of way.

A notice from the Amherst Planning Board was received advising that a public hearing was to be held to discuss a proposed cell tower at a location on North Meadow Rd. and Route 101.

A Local Government Center conference is being held at the Radisson Hotel in Manchester on November 17-19<sup>th</sup>, if anyone is interested.

**INFORMATION:**

**David Manz; Home business application; 31 Mountain Road; Map 220 Lot 41; RL 1**  
Present: David Manz

David Manz explained that his proposed home business would consist of a small brewery and distillery; it would start out as a hobby but would eventually become a small business. He said that State regulations limit the amount of beer that can be made at home, ie two hundred gallons for personal consumption and it can not be given away as gifts or sold to restaurants without the proper license. In order to get a proper license, the applicant must first receive approval from the Planning Board and the Zoning Board that the location is acceptable. The next step is getting Federal approval and then going to the State for licensing. With a license, the State permits limited on-site sales and allows an area for tasting or sampling but not a pub type environment where a fee is charged for a tasting. His goal, as a small brewer would be to distribute his product to restaurants & grocery stores. He would prefer to deal with keg products rather than bottles or cans.

B. Rogers asked if this business would take place in the existing buildings. Mr. Manz responded that it would and it is his intention to grow barley and hops as well as some fruits on the property. Eventually he would add a distillery and use these products in his beer, boutique whiskey and brandy.

Mr. Manz explained that presently he lives in Amherst and the property at 31 Mountain Road which is noted on the home business application is one location of interest. He has been looking at other properties in Hillsborough County that are at least 10 acres but preferably 30-100 acres in size so that he can begin cultivating two or three acres of barley and hops. The Lyndeborough property is representative of the kind of location that is of interest, ie., a house for his family, a barn for the business and pasture acres.

B. Rogers cautioned that if the application is approved, at this time, it would be for that specific address. Mr. Manz replied that he was asking for general guidance to see if a property in Lyndeborough would or would not be suitable for this type of endeavor. T. Chrisenton explained that with a home business, the abutters of the owned property would have to be notified and if he is not the owner, then the Board is unable to go forward with the application.

In the case of a brewery or distillery, T. Turner said that the Board would need to know if there would be any combustible products. Mr. Manz said there would not be any combustible products; that beer consists of water, yeast, hops and barley which ferment. Carbon dioxide is used to carbonate the beer and he uses non corrosive cleaning agents to clean his metal equipment.

M. Decubellis asked whether traffic to and from the house/barn would be normal residential use. Mr. Manz said that traffic would be limited to or no visitors to the house. J. Zebuhr questioned traffic from visitors attending a tasting. Mr. Manz replied that it wasn't something he was planning and did not want that volume of activity on his property.

M. Decubellis, referring to the Zoning Ordinance Section 1201 (Exclusions), read the following: **“Food articles produced within a residence or on the surrounding property such as vegetables, fruit, maple syrup, etc. may be sold seasonally from roadside stands and are excluded from the requirements of this Ordinance.”**

T. Turner responded that the production of alcohol falls under a different category. T. Chrisenton added that all the products for the brewery would have to be grown on the property. Mr. Manz stated that he had to follow Federal and State guidelines and it will take several years before barley and hops grown on the property would be productive. He eventually would like to be able to develop a locally grown beer.

T. Chrisenton told Mr. Manz that this proposed business does comply with the home business criteria but he reiterated that before the application could go forward he would have to own the property.

J. Zebuhr asked about lighting concerns and Mr. Manz replied that there would not be any special lighting coming from the barn where the brewing operation would occur.

B. Ball asked about the regulation that limits the amount of space occupied by a home business; in this case, the business will occupy space in an auxiliary building.

T. Chrisenton stated that a home business must not occupy more than 1/3 of the floor area of the residence. B. Rogers replied that in the past, if it's an existing structure on the property, it is counted as part of the home. T. Turner thought the purpose of the regulation was so that a house is not used exclusively for a business. M. Decubellis said that because the barn is separate from the house and it is not taking space away from the residence, the regulation could be waived. T. Chrisenton said this was not a Planning Board issue; but a zoning issue for the ZBA. B. Rogers said that the intent of the regulation was so that the property remains residential.

A future meeting was not scheduled, at this time, because Mr. Manz has not settled on the best property for his proposed home business.

**OLD BUSINESS:**

**Work Force housing discussion**

T. Turner said that she had contacted Kim Hallquist, a staff attorney for the Local Government Center (LGC) to discuss the work force housing issue. She was told that there isn't any model ordinance and there hasn't been any activity on what will be required. LGC is not recommending that towns do anything, at the moment. The Office of Energy and planning is planning on taking the lead in gathering information, but there hasn't been much guidance. It has been suggested that towns just sit tight and do nothing at this time. Because of the down economy, towns are not getting any pressure from developers.

B. Rogers added that cities and towns in Massachusetts are finding that their work force housing law has become burdensome in proving the income status of the people who occupy homes under work force housing.

B. Rogers also read the following from the September issue of NH Town and City magazine: ***“Workforce Housing Restrictive Covenants Authorized. Chapter 150 (HB 1395) amends the workforce housing statute RSA 674:58-61, to authorize a municipality to require that an applicant for the development of workforce housing record restrictive covenants ensuring that the housing will not be rented or sold to a household with income that exceeds limits specified in the statute. The local land use board may adopt regulations specifying the term for such covenants and providing a means to ensure compliance with the covenants. E.D. June 14, 2010.***

B. Rogers made a **motion to table the topic on Work Force Housing to a further date, until more concrete guidance from the state legislature is available and action is required.** L. Larouche seconded the motion. The vote in favor of tabling the topic was unanimous.

**Zoning Manuals update**

P. Ball told the Board that she has started the process of updating the zoning manual beginning with the table of contents, index and appendices as well as adding amendments and dates of amendments to all the ordinances that have been adopted by the town. Copies of all the changes will be presented to the Board for review as she goes through the manual.

**Membership update**

T. Chrisenton said that Steve Brown will accept a place on the Planning Board as an alternate after his term as a selectman is over in March.

**NEW BUSINESS:**

T. Turner told the Board of her recent weekend trip to Woodstock Vermont for a trail ride. She expressed great interest in the care and maintenance of the dirt roads that were traveled by the equestrians; the trails were free of rocks and roots. The trails in this system are changed each year and the association is responsible for maintaining and improving them. She felt that this type of system would be a good example for Lyndeborough to follow in trying to create trails that would attract equestrian clientele.

**MINUTES:**

**Review of minutes for October 7, 2010**

B. Rogers made a **motion to accept the minutes of October 7, 2010, as written.**

M. Decubellis seconded the motion. The vote in favor of acceptance was unanimous.

**ADJOURNMENT:**

B. Rogers made a **motion to adjourn the meeting at 8:15 p.m.** Tracey Turner seconded the motion and the vote in favor of adjournment was unanimous.

The next meeting will be held on Thursday, November 18th at 7:30 p.m. The next work session will be held on Thursday, November 4th at 7:30 p.m.

Pauline Ball  
Clerk

**Approved by the Planning Board on November 4, 2010**