



**Meeting Minutes**  
**North Hampton Planning Board**  
**Thursday, September 2, 2010 at 6:30pm**  
**Mary Herbert Conference Room**

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These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription.

**Members present:** Phil Wilson, Chair; Shep Kroner, Joseph Arena, Laurel Pohl, Mike Hornsby, and Jim Maggiore, Select Board Representative.

**Members absent:** Barbara Kohl

**Alternates present:** None

**Others present:** Wendy Chase, Recording Secretary

Mr. Wilson convened the meeting at 6:35pm and noted that the agenda was properly posted.

## **I. Old Business**

None

## **II. New Business**

1. **#10:11 – Keith Anastasy, The Dirt Doctors, 709 Keith Avenue, Pembroke, NH 03275.** Site Plan Review Application. The Applicant proposes to establish a landscaping business for sales and related services. Property location: 142 Lafayette Road; property owner: James Marchese, 11 Fox Point Road, Newington, NH 03801; M/L 017-029-001; zoning district: I-B/R.

**In attendance for this application:**

There was no one in attendance for this application.

Mr. Keith Anastasy withdrew his application, case #10:11 via e-mail to Ms. Chase, dated August 20, 2010.

2. **#10:12 – Steve and Amy Cain, 91 Elsmore Ave., Apt. 3, South Portland, ME 04106.** Conditional Use Sign Application. The Sign meets the required dimensions and manner of lighting. The Applicants request the following waiver: Article V, Section 506.6Q – Color. Property location: 77 Lafayette Road; property owner: TSR Realty LLC, PO Box 695, North Hampton; M/L 013-032-000; zoning district: I-B/R.

**In attendance for this application:**

Steve and Amy Cain, Applicants

The Applicants were before the Board for a waiver request to Section 506.6 Q – Color of the Sign Ordinance. The Applicant submitted more detailed photos of the proposed sign for the Board to review.

Mr. Cain explained that his business is a dairy bar selling hard and soft served ice cream. He further explained that the name of the business is “The Big Lick” and the sign will consist of the words with the lower half of the letter “L” in the word Lick designed as a tongue. The applicants propose to shade the letters in the color of “bubble gum” pink outlined with the color maroon.

Ms. Pohl commented on the fact that it was not “neon” pink.

Mr. Hornsby thought it would be helpful to see an actual “paint chip” of the colors being proposed. He said that after reviewing the colored picture of the sign, he would like to see the colors “toned down” a little.

Mr. Kroner said that the Board recently approved the AutoZone sign with its bright colors and this proposal before them is not any worse than that.

Ms. Cain said that it would be very similar to the pink color in the sign down the street for the “Wild Orchid” bakery.

Dr. Arena thought the design was clever, but would like to see the colors “toned down” a little, and “shadowed” a little more.

Mr. Wilson said that the Board cannot regulate the content of the sign. He asked what material the sign would be made of. Mr. Cain said that it is PVC. Mr. Wilson said that the colors presented are not the town standard classic New England colors.

Dr. Arena asked how many cars the site can handle at one time. Mr. Cain said that the site can handle 15 to 20 cars at one time. He explained that the customer would enter the building to order and exit through the same door. He said that he plans to take out a window and replace it with a door to allow a separate entrance and exit to provide a better flow of traffic for their patrons. Mr. Cain said that they would also like to add picnic tables outside.

Dr. Arena voiced concern with the size of the lot and the amount of traffic that may be coming and going. He referenced the Beach Plum on Route 1A, and although he hopes the Cains become as successful, he is concerned with traffic and pedestrian safety.

Mr. Wilson said that they have more parking spaces available than what the Town requires.

Mr. Wilson opened the Public Hearing at 6:48pm.

Mr. Ted Turchan said that he has seen a lot of take-out restaurants at that location, and said the “fish & chips” eatery was probably the most successful business at that site and he never saw more than 10 to 12 cars there at one given time.

Mr. Wilson closed the Public Hearing at 6:48pm.

Mr. Cain said that they would like to be open for business from March to November and would be serving “Blake’s” ice cream out of Manchester NH.

**Mr. Kroner moved and Dr. Arena seconded the motion to approve the waiver request from Article V, Section 506.6.Q – Color, to allow using the colors, as presented to the Board, for the sign that meets all other sign requirements.**

**The vote was unanimous in favor of the motion (6-0).**

**3. #10:13 – Annette Lee, Throwback Brewery LLC, 206 Washington Road, Rye, NH 03870.** Change of Use Application. The Applicant proposes to change the existing use of dry storage to manufacturing of beer and soda. Property location: 123 Lafayette Road; property owner: David Kohlhase, Lucas Holding Co., LLC, 335 Washington Road, Rye, NH 03870; M/L 013-071-001; zoning district I-B/R.

**In attendance for this application:**

Annette Lee, Applicant

David Kohlhase, Owner

Ms. Lee presented her case and said that the “feedback” from the community for her proposed brewery has been very positive and encouraging. She explained that Throwback Brewery was conceived by her two passions; making beer, and supporting local agriculture. She plans to make a truly authentic local beer using local ingredients produced in New England. She said that she would be working with local farmers for her ingredients. She explained that she will be producing soda as well and will be using seasonal ingredients to make traditional sodas using natural sweeteners, such as honey; no corn syrup, and will extract from the raw material itself to produce seasonal flavors, such as grape and rhubarb.

Ms. Lee explained the operations of the brewery.

- An average simple micro brewery makes 500 gallons of beer at a time; Ms. Lee’s proposed brewery will produce between 50-90 gallons at a time.
- The planned brewing schedule is 2 to 3 times per week.
- Estimates using 175 gallons of water per day to complete the process of cleaning, brewing and bottling. 100 gallons out of the 175 would be waste water and the remaining 75 gallons would be transformed into beer or soda.
- The beer and soda would be brewed at the facility, packaged and distributed out, but there will be a visiting area where people could come and buy beer and soda directly. The visiting area would be roughly 180 square-feet.
- The unit has 3 parking spaces in front that would supply ample parking. There will be deliveries to the unit a couple of times per week.
- The brewing process: the grain is malted and converts from starch to sugar; it gets heated with water and that extracts the sugar; the solution boils which produces the most odor (similar to hot cereal or bread). The brewing process takes between 60 to 90 minutes to complete. The volume of the room compared to how much is produced would greatly diminish any odors.
- The Building Inspector and Fire Chief had no issues for the proposed brewery.

Ms. Lee said currently she is a “one man” operation with no other employees. She has a hand held crimper to bottle her beverages and will provide kegs and growlers. She also added that she registered the name “Throwback Brewery” with the State of New Hampshire last January.

Dr. Arena mentioned that Pepsi occasionally produces a soda made with cane sugar, not corn syrup, labeled "Throwback". Ms. Lee said she has not had any problems so far with her registered name.

Mr. Maggiore asked if Ms. Lee had any projections done in terms of growth. Ms. Lee said that unit is big enough to expand it's just a matter of finding out if the septic system could handle any expansion.

Ms. Pohl asked if Ms. Lee planned to apply for a sign application. Ms. Lee said that she would be replacing the sign on the building and existing tenant sign on Route 1.

Mr. Kroner said that the business plan is "spot on" and suggested that Ms. Lee contact Dick Wollmar to get local ingredients from him.

Ms. Lee said that she has been in contact with local farmers and there is a farmer in Exeter that grew barley that she would use for malting.

Ms. Lee said that she composts the spent grain, and that chickens love it.

Mr. Wilson said that Mr. Wollmar does a lot of composting for local farmers and lives in North Hampton.

Mr. Wilson asked what the through put time was from raw material to the finished product; bottled beer. Ms. Lee said that Ales are between 2 and 3 weeks, and beer may take a little longer.

Ms. Lee said that the waste water would also include cleaners and sanitizers that can be acidic. She said that she has been an environmental engineer for 17 years and is very familiar with the different chemicals and is very mindful of them, using them sparingly and treating them with respect.

**Dr. Arena moved and Mr. Kroner seconded to accept jurisdiction for case #10:13.  
The vote was unanimous in favor of the motion (6-0).**

Mr. Wilson opened the Public Hearing at 7:16pm.

Mr. Ted Turchan said that his concerns about residuals of the brewery ending up in the wetlands outback were satisfied by Mr. Kohlhase and Ms. Lee.

Mr. Kohlhase said that he was concerned with the waste water and his concerns were satisfied. He said he is very happy with Ms. Lee's proposal.

Mr. Wilson closed the Public Hearing at 7:19pm.

Mr. Wilson commented that the issues the Planning Board focuses on with a site plan is the parking, water usage and septic systems and it appears that everything has been addressed.

Ms. Lee informed the Board the she cannot apply for a brewer's license from the State until she has an approved location.

**Mr. Kroner moved and Dr. Arena seconded the motion to approve the Change of Use application #10:13 to change from dry storage to a beer and soda manufacturing business. The vote was unanimous in favor of the motion (6-0).**

**Master Plan update:**

Mr. Kroner said that he has been meeting with Brian Groth, the Town's Circuit Rider from Rockingham Planning Commission. The first Chapter in the Master Plan to update is the Transportation Chapter and Mr. Groth will be starting it soon.

Mr. Kroner says that he is working on the Community Survey; the deadline is next week to get into the Community Newsletter mailed out by the Library. Mr. Wilson explained that the 2005 Community Survey was printed separately, then folded and inserted into the Community Newsletter.

Mr. Wilson suggested that Mr. Kroner and Mr. Groth provide a list of Chapters of the Master Plan that need to be updated and who is responsible for doing each of those Chapters for the Board to review.

Mr. Kroner said that they would like to add color copies of conservation area maps to the Master Plan.

**Junk Yard update:**

Mr. Maggiore apologized to the Board that he did not have a "junk yard" update for them. He said that he would get an update tomorrow and email it to the Board. Mr. Wilson suggested that he email the update to Ms. Chase and she will distribute it accordingly.

Mr. Wilson said that he read the "junk yard" brochure from the Local Government Center. Mr. Wilson said that the role the Planning Board has with "junk yards" is very limited. He said that the enforcement, permitting, certification for "junk yards" comes from the ZBA.

Mr. Wilson said that the Planning Board needs to look at the Zoning Ordinance and see if they are satisfied with the definitions, and provisions that would regulate "junk yards". He said that the brochure states that the local regulations would override the State's regulations. Mr. Wilson said that the State removed "vehicles that had not been licensed for two years" from the definition of "junk", but if a local municipality wants to put that back into their definition; they can.

Mr. Wilson encouraged the Members to read the brochure carefully and think about adding a separate setback requirement for "junk yards".

Dr. Arena said that the Town should be charging the owners of existing "junk yards" the \$250.00 licensing fee for this year.

Mr. Wilson said that even if the location of the "junk yard" is "grandfathered", they still need to get licensed and certified and follow best management practices.

Mr. Wilson said that the Town should use the definition the State provides until the Planning Board comes up with a different definition.

**CIP Committee update:**

Mr. Wilson explained that there are 3 openings for CIP Committee Members from the general public and 4 interested applicants, and it is the responsibility of the Planning Board to nominate one of those applicants to serve on the Committee.

Ms. Pohl explained that the Planning Board has the opportunity to select first from the pool of applicants and that she spoke with the Town Administrator and he suggested that the Planning Board choose three applicants to nominate, and put them in order of preference.

The applicants are as follows:

1. Paul Cuetera
2. Cynthia Swank
3. Richard Goeselt
4. William Clifford

Mr. Wilson commented that each applicant is qualified, and mentioned that Mr. Cuetera has served on different Town Committees, including the School Board. He said that Richard Goeselt has worked with the Planning Board and has taken a lot of interest in the capital investments of the Town, Cynthia Swank has been involved with the Town, especially in looking at ways of investments and processes the Town needs to ensure the Town's records are kept properly. Mr. Wilson said that he does not know Mr. Clifford, but based on what he states in his letter of interest, he seems to have experience that would be useful to the Committee.

Dr. Arena said that he would like to nominate someone who is thrift-wise, and able to get the most out of what is spent. He said that he would like to take time to study each candidate more closely.

Mr. Kroner said that he would like to see new residents get involved. He said that he would be interested in nominating William Clifford.

Ms. Pohl informed the Board that the first CIP Meeting is scheduled for September 14, 2010. She said that although she appreciates nominating "new blood", she would like to nominate Mr. Cuetera, and added that he is very qualified and would add a lot to the Committee.

Mr. Maggiore said that all of the applicants are wonderful, but would like to see someone who has historical knowledge and knows the background the Town.

Mr. Hornsby agreed with Mr. Maggiore and would like to see someone that knows the history of the Town.

Dr. Arena said that all of the candidates are really good, and it won't be easy to choose.

Mr. Wilson said that the majority of the Board feels that they would like someone who has experience and has been involved with the Town.

Mr. Wilson nominated Cynthia Swank to serve on the CIP Committee. He said that he has worked with her before and she is very process orientated, analytical and very thoughtful.

Mr. Maggiore concurred with Mr. Wilson's nomination of Cynthia Swank. Mr. Kroner said that he would be supportive of the choice also.

Ms. Pohl agrees that Ms. Swank would be a good choice and gets along well with other people, but likes the experience that Mr. Cuetera would have to offer and would like to nominate him.

Ms. Pohl nominated Mr. Paul Cuetera to serve on the CIP Committee because of his experience.

There were no other nominations.

Mr. Wilson closed the floor to nominations.

Mr. Wilson asked for all those in favor of nominating Mr. Cuetera to serve on the CIP Committee. (1 in favor).

Mr. Wilson asked for all those in favor of nominating Ms. Cynthia Swank to serve on the CIP Committee. (4 in favor). Mr. Hornsby abstained.

**Dr. Arena moved and Mr. Kroner seconded the motion to nominate Cynthia Swank and to recommend Paul Cuetera and Rich Goeselt as members for the other Boards to nominate. The vote passed (5 in favor, 1 opposed and 0 abstention). Ms. Pohl opposed.**

The Board signed the Mylar for Robert Gray Construction for the approved site plan, case#10:10. The Applicant met all of the Planning Board's conditions of approval.

A motion was made and seconded to adjourn at 8:17pm, with all in favor.

Respectfully submitted,

Wendy V. Chase  
Recording Secretary

Approved September 16, 2010