

TOWN OF WEBSTER, New Hampshire
Zoning Board of Adjustment
945 Battle Street/Rte 127
Webster, NH 03303
Tel. (603) 648-2272

MINUTES FROM ZBA HEARING 04/08/2008

Members present: Chairman Marty Bender, Secretary Pat Inman, Members Don Koberski, Linda Hook and Chris Vary.

7:02 PM Chairman Bender opened the hearing. Secretary Inman took attendance. The first hearing was a continuation from last month for Peter Austin. The hearing had been continued until a clear definition for agriculture could be investigated. Chairman Bender has been in contact with Dick Uncle from the Department of Agriculture, and Paul Sanderson, attorney at LGC. They were both in agreement that when looking at the statute, RSA21:34-a, item II, (11) making wine definitely fits the description. Since nowhere in the RSA is there anything written to determine how much of the ingredients of the wine have to be produced on the owners land, both men agreed that it would be prudent to use Item III as a guideline. This item states that “a farm roadside stand shall remain an agricultural operation and not be considered commercial, provided that at least 35 percent of the product sales in dollar volume is attributable to products produced on the farm or farms of the stand owner.”

When asked if he would grow a minimum of 35% of the product ingredients, Mr. Austin stated that he didn't think that this should be a requirement. He compared it to the production of maple syrup in which taps are placed on other property owners' trees.

After much discussion between the Board members and the Austin family, Mr. Austin stated that he would agree to produce on his land the 35% minimum required.

Based on this determination, Mr. Austin does not need a “special exception” since the property is in a “Residential/Agricultural” zone.

7:57 PM Chairman Bender opened the hearing for Rebecca Hoar. Secretary Inman took attendance and read the posting notice.

Ms. Hoar stated that her surveyor Web Stout was supposed to be in attendance with her but had not come. She felt she would not be able to appropriately answer all the Board's questions. The Board agreed to table the issue until May 13. Hearing closed at 8:05 PM.

Member Linda Hook informed the Board she would not be able to attend the Spring Planning and Zoning Conference on April 26. Member Chris Vary agreed to attend in her place.

ZBA/PB Secretary Mary Smith presented an amendment to the ZBA By-Laws stating that written minutes will be kept “permanently. Tape recordings will be kept until the written record is approved at a future meeting.” Amendment was approved by the Board.

Chairman Bender adjourned the meeting at 8:15 PM.

Respectfully submitted,

Patricia Inman
Secretary

PI/ms