

**WOLFEBORO ECONOMIC DEVELOPMENT COMMITTEE
REGULAR MEETING
Tuesday, July 11, 2006
MINUTES**

Members Present: Bob Reid, Chairman, Tony Triolo, Mike Cooper, David Tower, Mary DeVries, Gene Leone, Members.

Member Absent: Denise Roy-Palmer, Member.

Staff Present: Scott Smith, Interim Town Manager, Lee Ann Keathley, Secretary.

Guest: Michelle Fabricant, Owner, Downtown Market Grille.

Chairman Reid opened the meeting at 8:31 am.

Consideration of Minutes

Chairman Reid requested a motion to table the May 9, 2006 and June 6, 2006 EDC minutes.

It was moved by Tony Triolo and seconded by Gene Leone to table the May 9, 2006 and June 6, 2006 Wolfeboro Economic Development Committee minutes until the August 8, 2006 EDC meeting. All members voted in favor.

Discussion Items

➤ **Downtown Market Grille**

Bob Reid introduced Michelle Fabricant, Downtown Market Grille. He stated he invited Ms. Fabricant to discuss some of the difficulties she has faced and continues to face starting a new business in Wolfeboro. He stated he would discuss other businesses that are having the same difficulties following the discussion. He further stated her story would be helpful to the Committee in how to form goals and ideals for the future.

Michelle Fabricant stated she bought the business in November 2005 however, came to Town last summer and checked out all of New England and that she and her husband decided to settle in Wolfeboro. She stated they were pleased with the way the Town looked and the reception received by everyone. She stated her troubles began once the contract was signed. She explained that Rick Hutchins, landlord, received a letter from the Town dated 1/5/06 stating that they were trying to process a sign permit however, was never contacted again regarding such and so they went ahead and put the sign up. She stated she received a letter from Richard Hammer, Building Official, stating that he heard they were changing seating from 21 to 38. She stated she is unaware of how Mr. Hammer got the number (21) and further stated that said number is fictitious; the restaurant is zoned for 38 seats according to the Fire Department however, has only 31 seats. She stated the number 21 is the problem

and the Town is holding them at that number. She stated she went through the technical review and has an occupancy permit however, the Town is telling her there is a change of use. She stated the previous owners, Pillen, owned the entire space with people eating in that space and was informed that the entire space was theirs to use as a restaurant. She stated she has been informed to remove seating and if she were to remove 10 spaces, it would hurt her business drastically. She stated she has spent over \$2,000 on a lawyer and water engineer and doesn't know where to go from here or what the solution is. She stated that Mr. Walker informed her he would give the Town another two weeks and speak to the engineers about how they word their final report to be submitted to the Town. She stated it is extremely stressful and costly.

Gene Leone questioned the number of seats currently being used.

Michelle Fabricant replied 31 however, 38 seats are approved by the Fire Department.

Tony Triolo questioned the origin of the 21 seats.

Michelle Fabricant replied it was part of the 2001 Business Plan however, several different numbers were also stated in the plan.

Tony Triolo questioned who would be qualified to speak to the issue.

Scott Smith replied Rob Houseman. He stated it appears that Ms. Fabricant is speaking to the sewer moratorium. He asked whether her engineer has finalized the plan yet.

Michelle Fabricant replied yes.

Scott Smith questioned whether there is an estimated increase in flow.

Michelle Fabricant stated it is based on a restaurant figure from 1950 numbers. She stated the numbers are based on 40 gallons per seat which automatically reduces her to a 3 seat restaurant. She stated she bought a turn-key restaurant business with the same square footage.

Gene Leone verified the figures are based on restroom usage.

Michelle Fabricant stated that minimal water is being used; high efficiency dishwasher, minimal paper is being used, open fewer hours and fewer days than the previous owner.

Mike Cooper questioned whether Ms. Fabricant has access to usage by the previous owners to compare with her usage for the past five months.

Michelle Fabricant stated there is one water meter that contains four businesses and four 2-bedroom apartments.

Bob Reid stated the Town is trying to reduce the seating to 21 so that it would not qualify as a change of use. He stated he has been a frequent customer of the three owners and without equivocation, the business changed when the computer company left. He stated that following such, the entire area was used as a restaurant and people ate everywhere. He stated the Fabricants have brought the kind of business to Town that the Master Plan speaks about and the kind of business the Town can support. He stated that rules and regulations are important

however, is not sure that the numbers being reviewed by Town Staff are accurate numbers. He stated he does not believe it is a Town Planner issue anymore.

Michelle Fabricant stated that Audrey Cline has been in contact by phone with her attorney and has received one letter dated 3/15/06. She stated that Ms. Cline came to her restaurant in the middle of lunch and was informed that she would be hit with a Cease & Desist. She stated that following such, she received a letter instructing them to go to TRC.

Scott Smith asked whether the Town has been supplied with the engineer's report.

Michelle Fabricant replied no, because it is based on numbers that are not accurate.

Scott Smith stated that Ms. Fabricant is represented by counsel and advised her to follow his advice however, if the engineer is not providing accurate information and accurate numbers, questioned why another engineer is not being sought to provide the appropriate information. He stated that his understanding from other businesses that have gone through the process is that it is not costly (\$200-\$400) and that statistics / charts are used to estimate the usage and compared to prior usage. He stated it is important that a qualified engineer is found.

Michelle Fabricant stated Eric Roseen has done the report however, used figures from the Town that are not justified in addition to a 2001 Business Plan. She stated she doesn't like his report.

Bob Reid stated the problem is getting numbers and accurate information. He further stated Staff is going by plans that were put in that were never implemented and things that never happened. He stated there needs to be some way of finding out what actually was. He stated the numbers used are not accurate and that it is incumbent upon us to make sure that we are dealing with accurate numbers and research what actually went on.

Scott Smith deferred the issue to Rob Houseman and Dick Hammer and stated they will be dealing with the approved plan on file and will use such as the basis for their decision.

Bob Reid stated the factors should be in place and known prior before a person spends a lot of money. He stated it is a communication situation where the townspeople aren't sure where they stand and Town Staff is operating on information that may or may not be accurate.

Tony Triolo questioned whether she would be having a problem is there was not a sewer moratorium.

Scott Smith replied no.

Michelle Fabricant stated that when she received her first letter on 1/5/06, she went to Mr. Hammer's office on 1/6/06 and asked what she needed to do. She stated she received a change of use paper from Mr. Hammer and went to see the secretary, Ruth, and was told by her to "lay low." She stated that she could have done something about the business on 1/6/06 however, following that date; she invested too much money and can't do anything.

Tony Triolo stated he does not believe it is a change of use.

Scott Smith stated it may be considered an expansion of use.

Michelle Fabricant and Scott Smith left the EDC meeting at 8:50 am.

Bob Reid stated The Ribbon Studio has been hit with a change of use because a previous plan has been filed for office space on one side and retail space on another side.

Mike Cooper questioned whether the plan was the last approved plan.

Mary DeVries replied yes.

Bob Reid stated the following people are running into the same kind of problem; Stewart's Ambulance, Fred Antonucci, Cathy Sykes. He stated there are about six major things going on that have to do with business in this Town that are causing controversy. He stated his concern is that if enough people are alienated that when the Town needs a vote for very important things that could end all this, the Town won't get it. He stated he may invite the people from The Ribbon Studio to an EDC meeting.

Tony Triolo stated this is not a new problem.

David Tower agreed with Mr. Triolo's comment.

Mary DeVries asked the committee to discuss if and how the EDC could assist with communication to a person starting a business.

Bob Reid stated that such is being worked on through the Master Plan; trying to institute a position in the Town, Director of Economic Development.

David Tower stated the problem is larger than just hiring a person and there needs to be a concerted effort by everyone to have the same goal in mind. He stated part of the problem is that there is not a clear process.

Gene Leone stated the attitude within the Town office has not changed.

Mary DeVries agreed with Mr. Tower's comment and stated the Town departments need to find a way to communicate with one another.

Bob Reid stated that as a Board, we can do little or nothing or begin to exercise the fact that we are here. He recommended the Committee get approval from the Board of Selectmen that the way things are looked at needs to change. He stated the issues are procedural and there is a need to reduce the Townspeople anger.

➤ **Mission Statement / Goals & Objectives of EDC**

Bob Reid distributed a draft Mission Statement (see attached).

Mike Cooper stated it is helpful to understand the core values of an organization so that a vision can be formed and from such a Mission Statement developed. He stated the need to understand how it fits with a larger direction. He questioned the overall Mission Statement of the Town of Wolfeboro and stated that such would help the Committee develop their Mission Statement.

Bob Reid stated the Mission Statement came as a directive of the Board of Selectmen to create a Mission Statement and goals. He stated he has spoken at Selectmen meetings that this is something the Town needs to do; the Town needs a Mission Statement. He stated the Committee cannot approve a Mission Statement rather; it is approved by the Board of Selectmen. He stated he wrote the statement as a starting point.

Mike Cooper stated the Committee needs more direction from the Board of Selectmen so that the Committee's Mission Statement fits the directive. He requested Mr. Reid to seek additional direction from the Board of Selectmen.

Bob Reid stated the BOS is an extremely busy organization and currently has two subcommittees; Milfoil and EDC. He stated the direction the Board gave by vote was to request goals for the Committee. He stated he sees the directive as an opportunity for the Committee to create some direction. He stated he feels the Board would react more positively to a finished document. He stated the draft Mission Statement is a starting point. He stated he would like to discuss what each member believes the goals of the EDC should be.

Mike Cooper questioned whether the core values of the EDC fit with the BOS' vision and questioned whether what the EDC offers as a Mission Statement would matter. He submitted documentation regarding a Mission Statement and goals of the EDC (see attached).

Bob Reid stated he could submit the documents to the BOS and request the BOS to indicate a direction by which the EDC should go.

Mary DeVries recommended submittal of documents to the BOS and following such, question the BOS as to how the ideas and goals work into the BOS' mission of the Town.

Bob Reid stated the pressure to institute the Master Plan is quite strong. He stated the EDC should take the direction of the Master Plan. He recommended guiding the BOS in regard to the Mission Statement.

David Tower stated he thought the job of the EDC is to help structure relationships in the community to support the goals and that the values put forth were embraced by the Town.

Bob Reid stated that for many years the EDC was not viable. He asked how the Committee would feel if the BOS approves the draft Mission Statement. He stated he would submit general ideas to the BOS.

Mike Cooper stated the leadership provided by the BOS has to be there and that currently, the EDC is operating on a lot of assumptions. He questioned whether those assumptions are valid and recommended asking the BOS what they value in regard to the economics of the Town.

Gene Leone stated the largest problem is due to the fact that a majority of the property tax base, over 50%, are paid by those who live on Lake Winnepesaukee and a big part of those people don't care about the Town because they are not around.

Bob Reid stated 40% of all tax bills are sent outside of Wolfeboro. He stated Wolfeboro has a core population of 6,000 with 4,900 registered voters. He stated 2,100 – 2,200 people voted in the last election.

Mary DeVries stated the following goals; support existing employers, attract new and retain business and improve economic amenities.

Referencing the latter goal, Bob Reid requested clarification regarding such.

Mary DeVries replied Town infrastructure for businesses. She stated she is in favor of presenting documents to the BOS however, not submitting a Mission Statement and recommended the words "Mission Statement" be removed from the document.

Bob Reid disagreed with Ms. DeVries latter comment / recommendation stating that without a Mission Statement, things will be brought to the table that shouldn't be.

Mike Cooper verified that Mr. Reid would be speaking to and submitting documentation to the BOS with the notion that the EDC is seeking guidance from the BOS regarding direction of the goals for the EDC.

Dave Tower submitted documentation regarding a Mission Statement and goals of the EDC (see attached).

Town of Wolfeboro EDC meeting scheduled for Tuesday, August 8, 2006 @ 8:30 am at the offices of Leone, McDonnell & Roberts.

It was moved by Dave Tower and seconded by Gene Leone to adjourn the July 11, 2006 Economic Development Committee meeting. All members voted in favor.

There being no further business before the Committee, the meeting adjourned at 9:30 am.

Respectfully submitted,

Lee Ann Keathley
Secretary