

**TOWN OF NEWFIELDS BOARD OF SELECTMEN
MEETING MINUTES
TUESDAY, FEBRUARY 20, 2018**

***Present: Selectmen: Chris Hutchins and Michael Sununu. Jamie Thompson- absent.
Others include: Michael Price, Kent Lawrence, Alison Watts, Michael Todd, Steve Shope, Dave Mason, Lindsay Carroll, Fire Chief Jeff Buxton, Ray Buxton, Brian Knipstein, Jeff Feenstra, Jitin Asnaani, Lauren Hill, Andrew Walker and Peter Lewis.***

Call to order at 7:00pm.

The Selectmen reviewed and signed:

- ✓ Checks Pd 02/23/18: Accts. Pay. Manifest - \$7,076.25
Payroll Manifest - \$10,347.60

- ✓ Current Use Change Tax Bill- John Hayden (202-4)(202-10.1)(202-10.3)

Chris Hutchins opened the meeting at 7pm. Members of the Conservation Commission, Zoning Board and Planning Board met with the Selectmen to discuss Agritourism.

Kent Lawrence spoke about a case in Henniker of a Christmas Tree Farm wishing to conduct weddings on a property. The case was taken to Superior Court. At the time, the State Statute read, “agritourism activities need to be ancillary to the farming activity”. The Town of Newfields changed their zoning in March 2014 to mirror the state statute which also requires agritourism activities to be accessory uses to the farm operation. Kent said accessory use is an important distinction that prevents the farm from becoming an event center. In his opinion, it is appropriate to limit the events to ancillary activities.

Mike Sununu said the current State Statute RSA 21:34-a, is vague in terms of what can and cannot be done. It leaves a lot of discretion up to the town. There is a growing interest in Agritourism here in Newfields and there is no doubt that there will be some level of consternation among neighbors regarding farm activities. The Selectmen are trying to be proactive by setting up guidelines, so everyone is aware of what is allowed and what is not allowed. They are looking for input from the planning board, zoning board and conservation commission as to what they think is fair and just for the landowners, neighbors and the town. Michael said the purpose of this meeting is to get some thoughts and feedback on issues which individuals feel are relevant or concerning about Agritourism.

This meeting is to get the conversation started among boards and possibly have a public hearing to discuss and finalize what activities shall be allowed.

Mike Price talked about the proposal before the Planning Board for farm land owners to entertain weddings. If allowed it could mean a wedding event every Saturday and Sunday and it may be extreme to have weddings every weekend. These are the tough questions in his opinion. It may not bother people in town if there were a few weddings a year. It becomes difficult when you must put parameters in place about the number, times and dates of weddings. On the other hand, what does a wedding have to do with a farm? Is the serving of wine on the farm the connection? Is cutting down a Christmas tree and decorating it on a farm mean you can then get married? Is snowshoeing through the Christmas trees on a farm, having dinner and spending the night at the inn allowed? He is not sure where to draw the lines.

Michael Sununu said it is the planning board that sets the rules through the site plan review process. The zoning of property (residential/agricultural vs. commercial) helps determine the rules and what is allowed.

Jeff Feenstra commented that it all comes down to life safety issues in his opinion.

Mike Todd said he has no issues with farms having weddings, but he is not an abutter and understands the concerns. He would like to see some of the uses that show off the farm allowed, such as enjoying the atmosphere and scenery. He questions how to get the number of events and frequency to align. He suggested working with the farmers and coming to an agreement that will help them without burdening the neighbors.

Michael said that is exactly why we are here to determine the type of events fall under agritourism. He believes parameters can be applied. We start with these discussions and begin the process as a Town.

Kent explained that the Town's procedure to change the use of a property is done through the planning board. For example, the Vernon's came before the planning board for their farm store. The permitted activities were generated through the planning board process. It is quite possible that entities come back before the planning board to expand.

Michael Sununu said one of the issues is the medieval event he has been hearing about. He does not want to deprive the Vernon's but at the same time they need to go before the planning board for an event of this size.

Mike Todd asked if parking was allowed on the conservation portion of the Vernon Farm. Steve Shope stated that the Conservation Commission did get a legal opinion regarding parking and there is nothing in the conservation easement that prevents parking on the conservation land. Parking would be prohibited on the conservation easement if it

affected one of the specific items in the conservation easement. For example, if the parking affected the soil quality it may be prohibited.

Michael Sununu said that we need to decide as to what point it violates the conservation easement.

Mike Price noted that a parking lot is much different than having a designated parking area for weekly events. The Conservation easement held by Southeast Land Trust for Windroc Vineyard is much more restrictive than the easement held by the Newfields Conservation Commission for Vernon Farm. The Windroc Vineyard easement did not allow parking on conservation land.

Kent commented that the potential medieval event has not been reviewed, discussed or approved by the Planning Board. In his opinion, an event such as this would need planning board approval for change of use. He questions whether there are adequate safety features for participants, abutters and the Town.

Kent Lawrence gave the example of Mike Price having a one-time event for his daughter's wedding with 300 people. It is much different than having 300 people come to a site every week for a pay for venue wedding. That is a commercial operation and function center and is totally different than a family wedding at a private property.

Mike Price asked what the distinction was between having a one-time wedding and the Vernon's having a one-time event.

Michael Sununu said an event like this will infringe on the rights of the abutters who bought their property knowing the zoning was residential/agricultural and not commercial. Where do we draw the line? We need to come up with some guidelines.

Mike Price talked about potential weekly weddings at Squamscott Winery. Mike Sununu added, as of last week, access to Squamscott Winery has become an issue which needs to be resolved. There will be traffic traveling in and out of Quinn Court. We need to come up with rules that everyone will initially be comfortable with.

Mike Price added that the preferred method by the Planning Board for access to the winery was in Quinn Court and out River Rd.

Jitin Asnaani said that we do not want to create a situation where we are restricting business as usual. There is a need to create a process so everyone knows what to expect.

Alison Watts said the original intent of agritourism was to broaden the definition of farming to enable the farming industry to thrive.

Jeff Buxton said he understands the need to determine what should and should not be allowed. Observing what has gone on in the meeting, there will be no outcome tonight. He suggested the boards all work together to get agritourism defined and a commission formed.

Michael Sununu agreed. He said this initial meeting is to make sure we are all aware of the issues regarding agritourism. It is going to take time to address the issues, and we need the engagement and input of the entities directly impacted.

Jeff Buxton talked about the increased traffic that will be generated with the farm events and the need for safety. If the farms were more remote traffic probably wouldn't be as big of an issue.

Lindsay Carroll suggested we look to other towns for input. He talked about an apple orchid, with a store, pick your own, etcto see what they do.

Lauren Hill suggested looking to Stratham for input on Scamman Farm.

Michael Sununu suggested forming an Agritourism Commission consisting of one member from each Board , a representative from Southeast Land, and any other individuals interested. Over the next several months we will work towards a resolution that everyone can agree with.

Mike Price suggested inviting abutters and those directly impacted; Vernon Family Farm and the Squamscott Winery.

Alison Watts suggested including Glen Greenwood as a member of the Commission.

Mike Todd listed items which should be discussed: Number of attendees, life safety, frequency of events, abutter's rights, sound, alcohol, notifications of events, hours of operation, lighting, and traffic.

The Agritourism meeting adjourned at 7:45PM.

Respectfully submitted,

Sue E. McKinnon

The Selectmen entered into the business of the scheduled meeting:

Michael updated the Selectmen on the review of the Comcast contract renewal in June 2018. Michael proposed to schedule a meeting with the Comcast representative, Jay Somers, to discuss possible options at the March 20th Meeting at 7 PM and will confirm.

The Selectmen reviewed the Expenditures for February.

The Board of Selectmen Meetings for March are: Tues, March 6th @ 7 PM
Tues, March 20th @ 7 PM.

The Selectmen discussed the email from Attorney Durbin in regards to Winkler Way. The Town will top coat the road in order to preserve it. In order to get the lien on the property, it will have to go through the courts.

At 8:15pm, Michael made a motion to adjourn the meeting. The motion was seconded by Chris. The motion passed with all in favor.

Respectfully submitted,

Donna C. Newman