

**Zoning Board of Adjustment
Town of Westmoreland
Minutes of February 26, 2014**

These minutes are unapproved until voted on by the Board

Present: Chairman Peter Remy, Brian Merry, Barry Shonbeck, Russ Huntley, Ernie Perham, Bill Campbell.

Chairman Remy opened the meeting at 7:05 pm and asked the Board members to review the minutes of December 18, 2013. Barry Shonbeck made a motion to accept the minutes, as read. Brian Merry seconded the motion and the five voting members all voted in favor of the motion.

At 7:30 PM Chairman Remy opened the hearing on the application of Darren and Judy Horn for a Special Exception concerning Article V Table 502 of the Ordinances of the Town of Westmoreland . The applicants propose to operate a winery and restaurant at their property located at 719 Route 12, Map R-14 Lot 42, formerly known as The Summit Gift House.

Mr. Remy asked Mr. Horn to give the details of his proposal.

Mr. Horn said that it is hard to keep a restaurant going for all four seasons so he is seeking a multi-use for his property that he hopes will bring in customers year round. In addition to the restaurant there will be a winery for tasting and buying wines that he produces and a small gift store area stocked with New Hampshire products and products such as wine glasses that are associated with a winery. They had planted grape vines years ago anticipating this venture and the grape vines were now producing, though they would still need to buy grapes from other producers.

Chairman Remy clarified that the Special Exception is specifically for the winery and the gift shop as the property's previous use was as a restaurant.

Mr. and Mrs. Horn have owned the property since 2002. Mr. Remy asked about the number of employees specifically tied to operating the winery and the wine tasting. Mr. Horn believes it would be just himself and 2-3 others.

Mr. Merry asked about the hours they plan to have and whether they have a liquor license. Mrs. Horn, who will be in charge of the restaurant operation said they envisioned opening for lunch and dinner and would open at 11:30am and close by 9 PM. They do not yet have a liquor license as the license that the previous lessees of the building had was specific to them and went with them. The Horn's must first get the local permit to apply to the state for their own liquor license and to the federal government for permission to make and sell wine.

Mr. Remy suggested that since they are still in the planning stage it might be wise to envision hours that anticipate earlier and later hours and the arrival and departure of employees so that they would not have to come back to the Board if their needs expanded. Mr. Horn agreed and he asked for approval of 7 am to 11pm seven days a week.

Mr. Shonbeck asked if every aspect of the business would be encompassed by the present building and Mr. Horn said it would.

Mr. Merry asked about buying grapes from other places. Mr. Horn he would source grapes as much as he could from New England. He also has an opportunity to source grapes from California and New York. Mr. Merry asked if there is an issue with the state over importing grapes from outside the state. Mr. Horn said it was not an issue and mentioned some other New Hampshire wineries which do so.

Mr. Merry asked how much wine he planned to produce. Mr. Horn said his ultimate goal is to produce 5000 cases per year. Any more than that and he would need to come back to the Board for permission for another building.

Mr. Merry asked for more details about the proposed gift shop. Mr. Horn said it would occupy a small area in the building. He had talked to the Hannah Grimes people in Keene about sourcing New Hampshire made products and would consider products made by local people. Mr. Merry asked if the restaurant

would be run by them personally or would be leased out. Mr. Horn said they would be taking it over.

When asked about new lighting and signs Mrs. Horn said she has a whole list of things like that for her husband to do. Mr. Horn said that he was thinking about a small sign on the two lane portion of Route 12 as traffic comes up the hill advertising the winery.

Mr. Merry asked if they planned to plant more grape vines. They would like to plant some at the bottom of the property where there is an old foundation. It all needs to be cleared out.

Mr. Remy asked about the size of the current vineyard. Mr. Horn said they have about one acre presently. He has a long experience of making wine since he was a kid.

Mr. Campbell asked about the number of wineries in the state. Mr. Horn said there are now thirty-five in New Hampshire and more are in the works.

The wineries find that clustering them in the same vicinity is good for business as people will want to come to an area where they can visit more than one winery on a day or weekend trip. He has talked to the other winery in Westmoreland, Poocham Hill Winery, and they have been very helpful and welcoming to the Horn's.

Chairman Remy asked the Board if they had other questions. As they did not, he opened the meeting for comments from abutters.

John Matthews of Route 12 was the only abutter present and he said he thought this was a very good idea. He would like all the vacant businesses to be occupied. It would be good for the town.

Mr. Shonbeck asked about how many abutters there are to the property. Mr. Merry read off the list of six abutters.

Mr. Merry asked about the menu for the restaurant. Mrs. Horn said they wanted to have a casual atmosphere and attract local people. It would be pub type food, lighter fare, and not expensive.

Chairman Remy closed the public meeting as there were no more comments or questions and the board went into deliberation.

Mr. Remy read each of the criteria for granting a Special Exception.

1. **The specific site is appropriate for such a use.** **All agreed.**
2. Such approval would not reduce the value of any property within the district, or otherwise be injurious, obnoxious, or offensive to the neighborhood. **All agreed.**
3. There will be no nuisance or hazard to vehicles or pedestrians. **All agreed.**
4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use. **All agreed.**

Chairman Remy called for a motion.

Mr. Shonbeck made a motion to approve the Special Exception for the winery/restaurant/gift shop subject to the following conditions:

1. The winery, restaurant, and gift shop will be within the current building.
2. The hours will be within the hours of 7:00 am to 11:00pm seven days a week.
3. All permits will be in place before the business is open.

Mr. Merry seconded the motion and the five voting members present voted in favor of the motion.

Mr. Shonbeck moved to adjourn the meeting at 8:00 pm. Mr. Merry seconded and all voted in favor.

Respectfully submitted by Jackie Cleary, Zoning Board Clerk