

**Amherst Zoning Board  
Tuesday June 16, 2015**

**Attendees:** D. Kirkwood; Chair, K. Shea, R. Rowe, C. Vars (Alt.), R. Panasiti, W. Sullivan (Alt.) and C. Mailloux- Community Development Director

R. Rowe called the meeting to order at 7:02pm, explained the agenda change and the process that will be followed throughout the night.

D. Kirkwood arrived and stated that:  
W. Sullivan will vote for J. Ramsay  
C. Vars will vote for J. Quinn

**New Business:**

**Case PZ6132-051515 – Variance**

**Arboleda Realty, LLC (Owner), LaBelle Winery, LLC (Applicant), 345 Route 101, PIN# 008-057-000, Zoned Residential/Rural – Request for a variance from Section 4.3 of the Zoning Ordinance to allow the operation of a restaurant within the existing winery facility.**

Attorney M. Hollis is representing the applicant. Both he and Amy LaBelle came forward to present the case.

M. Hollis presented the case as follows: The property is map 57 lot 8 and is currently used for LaBelle winery. It is a winery operating under a variance granted by this board in 2011. The variance was granted for a winery with associated uses including grape and berry vineyard, vegetable and herb garden, retail sale of products associated therewith, manufacturing and processing thereof, wine and product tasting with accompanying food and catering function room.

The applicant wishes to operate a restaurant facility consisting of up to 59 seats inside and 40 seats outside as part of the existing winery facilities. The application is specific in terms of the number of seats. The applicant is not here to ask that a restaurant use be granted for that property by variance. It is a restaurant within the winery facility.

He went through some of the history of the property with the town. The property received a variance and planning board approval. At the planning board hearing there was a presentation of the plans that showed a café. The winery has been operating with food use since it began operating. It has not yet received a permit for a restaurant and that is what they are asking for. The applicant was operating under the belief that they had that permit, but they didn't.

What you see when you go there now is what you will continue to see if the variance is granted.

M. Hollis directed the board's attention to the original plans that are included in the application. The room labeled tasting room on the plans is about 1450 sq. ft. and is the space that is for the restaurant. The space outside that room is labeled as the outside sitting area and that is the outdoor seating area for the food.

The next plans shown are dated June (six months after the first plans shown to the ZBA). These plans were approved by the Planning board and were more detailed with the space marked as tasting and café and outdoor patio with seating arrangement.

No exterior changes will be done to the property if the variance is granted. What they are doing is modifying the use or the mix of uses. The area will now clearly be a 59 seat restaurant indoors and a 40 seat restaurant outdoors for a total of not more than 99 seats.

The proposed use has been an ongoing operation since the winery opened under the understanding that it was included in the variance that was granted. The town determined it was not, and that a variance is required, so that's why we are here requesting a variance.

D. Kirkwood asked about the 190 seats shown on the plan. M. Hollis answered that is the event area which is separate from the restaurant area.

Amy LaBelle gave the following statement at this time.

When they first applied for the variance to develop the property at Bragdon farm into what is now LaBelle Winery, they were very early in their planning stages. They were granted a variance for a winery and associated uses as was described. The Bistro was mentioned that night but was more fully described with the planning board. Approval was granted. The bistro served a very small amount of food under the food service wording which they thought at the time was appropriate under the variance that had been issued. They believed that was an allowed use.

The menu has grown. The business has grown. But they are not asking for more seats. The bistro functions in concert with the winery operations. The bistro offers lunch Mondays and Tuesdays, dinner and lunch Wednesdays through Sundays and music on the terrace once a week seasonally during nice weather. Outside seating as well as music on the terrace was approved in a letter by S. Marchant. They believe they have developed their business in keeping with the spirit of the original variance. They are not asking for permission to do anything new-only to continue with what they are already doing which is to run a bistro in conjunction and in concert with the winery operations. The winery operations remain the main focus of the business. They are not proposing to build or change anything. They are not asking to add lights or signs or alter the business they've been operating for three years. The only thing that has changed is the menu and the amount of people that come.

LaBelle Winery is the largest winery in New England. The focus at the winery remains on the wine.

The Bistro operates under a NH department of health food service license. It's not a restaurant license, it's a food service license.

Food and wine go together. The bistro exists to showcase the unusual and unique wine varieties.

LaBelle is growing unconventional grapes that flourish in the New England climate. NH can't grow the most popular kinds of wine so the bistro helps pair foods with the wines so people can become familiar with them. Customers need to be able to taste the wines to understand them. The restaurant is vital to the success of the winery.

They grow three acres of grapevines and an additional  $\frac{3}{4}$  acre of vegetables that are used in the bistro.

Small family wineries can't be successful as just wineries. They offer integrated restaurants, events, car shows, art galleries, music, exercise and yoga programs, community programs, cooking classes, painting classes and cheese making classes. This offers customers an experience, not just a product.

Most wineries in New England have restaurants. Ms. LaBelle listed them. This is a very common practice in the wine world and in New England in particular.

The winery welcomes community. They saved the Bragdon farm from being sold off to housing and have maintained the farm culture there. Many of their programs are free to the public and enhance the cultural community around us. They support charitable activities and she described some.

They employ 70 people with good jobs and benefits. Those people will be significantly impacted if the variance is not granted. If the bistro closes, they will have to lay off 30 employees. That will have a significant impact on the local economy and the residents of Amherst.

She and her husband and kids live in Amherst. She loves the town and its people and wishes to keep the business in town and growing. They want to continue to offer a place to gather for the people of Amherst. A place that is uniquely local and gives 70 good paying jobs to the local community. A place that is making internationally award winning wine. A place that provides a backdrop for many of the

town's local celebrations. They are not asking for anything new, merely to continue the operations they've been doing for three years.

Amy LaBelle handed photos to the board members. M. Hollis addressed the tests.

1. Public interest is hard to define. The NH Supreme Court bases its definition on if granted, will it alter the character of the neighborhood or threaten the health, safety or welfare. Will the restaurant within the winery with the specific seating they are asking for alter the character of the neighborhood or threaten the health, safety or welfare?

The proposed use is within an existing facility and on an existing patio that is already approved to serve wine. This will be extending the operations to including food onto the patio. There will be no change to the current building. As you drive by, it will look the same. What will the change be? Putting out 99 seats on a regular basis will bring more customers which may bring more traffic. They revisited the original traffic study that was presented to the planning board. The original traffic study did not include a 99 seat restaurant.

They went back to Rob Woodland of Woodland design group of Manchester who did the original traffic study. He reviewed the original study, observed any changes to Rt. 101 since that report was done, and analyzed the impact of a 99 seat restaurant on the prior study. The new report was submitted a week ago and the board has copies. Rob is here and can answer questions the board has. M. Hollis summarized the highlights of the report: This is a comparison between the original report and what would change based on adding a 99 seat restaurant. He reviewed the data available by using the standard traffic engineer book from the ITE. He viewed the property at the critical afternoon peak hours where the impact is most critical. Because this is a restaurant, he studied the PM peak time. He found there were 26 trips generated on a week night. There were 17 going in and 9 going out.

There were 32 trips generated on the Saturday PM peak time. There were 19 going in and 13 going out. These studies are based on the number of seats in the restaurant and are based on national studies, not specific to this location. There are some discounts given for the people that are driving by anyway and decide to stop in. That is a drive by analysis. The new traffic generated by the restaurant was determined to be minor and wouldn't be noticeable on its own.

There was already a proposed use at this location. There was wine tasting, accompanying food and events. Those were considered in the original report. Some of those activities will be replaced by this restaurant. Not all the uses can be going on at the same time- there's only so much space.. The conclusion was that these uses have to be analyzed together. He found that there was even less of an impact with that taken into account.

He also looked at sight distance which is 625 ft. with clear visibility. This is better than the standard 400 ft. It was determined there is more than enough time for entering and exiting safely. He also reviewed traffic accident data for the area. He found no accidents prior to or since the winery has been in operations. The police chief corroborated this data.

Finally, he observed the site on a Friday afternoon from 4-7pm when the winery was busy. He found there was little or no delay with one or two vehicles lining up to leave the site and only one vehicle lined up to make a left off Rt. 101 to enter the site.

M. Hollis stated the conclusion is that it is safe, there's no impact due to the proposed restaurant and since there is no proposed change to the physical exterior of the property, there will be no change to the character of the neighborhood. Per the traffic analysis, there will be no threat to the health, safety or welfare.

2. To maintain the spirit and intent of the ordinance is to maintain the residential rural characteristics in lot size and regulated uses. The arguments are the same as test one. There is no change to the structure, no threat to health, safety or welfare. They are merely substituting uses within the facility. We don't believe it is contrary to the spirit.

D. Kirkwood asked if the expert took a look at what the extra bistro traffic would do when there's also an event going on.

Rob Woodland, President of Woodland Design Group in Manchester came forward to answer the question. His company was the original engineers that did the traffic study for LaBelle Winery. They also designed the off-site roadway improvements to accommodate the traffic turning onto the site. The original study looked at what happens if an event occurred during peak hours. The off-site roadway improvements were designed to prevent issues during that worst-case time period. The original study did assume that if an event happened during that peak 4-6pm timeframe, than some of the other functions would not be happening at the same time.

The original study did take into account wine tastings of 2-50 people which generated about 20 trips. With the current restaurant, they estimate it will generate 26 trips. This adds roughly 6 trips to the original study during peak hours. There is no material difference and the original design was created to accommodate it.

The standard data shows roughly 44% of traffic for a quality restaurant would be generated by traffic that was already driving by. After the original traffic study was done they made improvements to Rt. 101 to make sure through traffic was not slowed down and that cars turning into the property were safe. A separate left turn lane was created.

On May 8<sup>th</sup>, 2015 Rob was able to witness the traffic on that site. There were two special events going that night: a cocktail reception of roughly 20 people and the New England Medical Center Gala- an annual event that is the largest event LaBelle holds each year. (approx. 187 attendees)

During his entire observation time of 4-6:45pm, the maximum queue to turn into the site was one car from the left turn lane. There were longer delays when patrons were leaving, but the maximum queue was two cars. His conclusion is that the addition of the restaurant would have no impact at all on the traffic.

W. Sullivan asked how many cars go by that site at peak time.

The peak hour is 4:45-5:45pm on weeknights and 1000 cars go by in each direction for total of 2000 cars during that time.

C. Vars stated that coming from Bedford, he has never seen more than two cars waiting to take a left, but what's the stacking distance- five cars?

R. Woodland replied there is 50 feet or so. There is room for about four or five cars stacked.

M. Hollis continued with the tests.

### 3. Substantial justice

This is a balance test. If granted, will the harm to public outweigh the gain to the owner? Or if it is denied, will there be harm to the owner but no gain to the public? If granted, what is the gain to the owner? The Bistro is not absolutely necessary, but would greatly assist and complement the business. It allows for the complementary food portion of the business.

If granted, what is the potential harm to the public? Nothing. No traffic and no change in the exterior appearance. If denied, what is protection to the public? There's no protection to the public. There's no difference whether it's granted or denied. If the variance is denied, there will be harm as described by Ms. LaBelle.

191  
192 4. Diminished value

193 There will be no change to the exterior of the property, no change to the traffic pattern and no  
194 significant increase of the intensity of the use. There will be no impact to values because there will be no  
195 noticeable change. Because a specific amount of seats have been determined since the application was  
196 submitted, they obtained a letter from a new appraiser based on the new plan of 99 seats. M. Hollis  
197 received it today and emailed it to C. Mailloux. He handed out copies and read the letter into the record.

198  
199 *Dear Attorney Hollis:*

200 *In response to your recent request, I am pleased to submit my analysis of the above-captioned*  
201 *variance request to determine what effect a zoning variance to allow the operation of a restaurant*  
202 *with the potential for 99 seat capacity (59 indoor and 40 outdoor), if granted, would have on*  
203 *neighboring property values. I have not performed any services regarding the Subject property*  
204 *within the past three years, as an appraiser or in any other capacity.*

205 *I visited the property on May 29 2015 and took photos inside and outside the building and at the*  
206 *road. The building has two existing function rooms; one called the "Great Room" which seats 250*  
207 *and a "Function Room" which seats 32. There are about 145 parking spaces on site. For weddings*  
208 *in the Great Room, visitors are typically bused in. The function manager told me they have never*  
209 *had a traffic problem when the two function rooms and the restaurant are used concurrently. The*  
210 *property is located on a rather isolated part of Route 101 with no close-by driveways or*  
211 *intersecting roads.*

212 *In my opinion, granting the variance to allow restaurant use will NOT have a negative effect on*  
213 *the real estate values of the abutters or the neighborhood in general.*

214  
215 M. Hollis stated that if the variance is granted, there will be no adverse impact to the surrounding  
216 properties.

217  
218 5. Hardship

219 Enforcing the ordinance will impose a hardship upon the owner because owing to the special  
220 considerations of the property which distinguish it from others in the area. What are the special  
221 conditions? It's not appropriate for housing. That has been demonstrated and now there is a use there  
222 which prohibits it. The property is unique as to the limited access point. It is unique in wetlands and  
223 topography and what the site might be used for. A current variance and current use was granted based  
224 on its uniqueness. Because that use is on site now, that is the limited use. And that makes the property  
225 unique. It's unlikely that any other use can go there other than what has been granted by variance.  
226 Because of that uniqueness, there isn't a fair and substantial relationship to the ordinance which says  
227 we don't want a restaurant in the rural residential zone. Enforcing that against this unique piece of  
228 property does not have a fair and substantial relationship between the public purpose of prohibiting  
229 that use in the zone and the use of the portion of the property for a restaurant.

230 Because of the existing structure and because there's no danger or threat of diminution of value or of  
231 health or safety by putting in a restaurant, that demonstrates there is no fair and substantial  
232 relationship to the purpose of that ordinance as applied to this property.

233 Is this use a reasonable use given the uniqueness of the property? We would argue it is. There have  
234 been no safety issues and no adverse effect on neighboring property values. As proposed, it is a limited  
235 use within and as a part of the winery. There will be no change to the actual building. It is a reasonable  
236 use and a complement to the existing and approved current use.

C. Vars asked about the patio seating and it was clarified which patios are used for functions vs restaurant seating.

R. Rowe stated it is a reasonable use to have a patio portion of the restaurant that is not contained indoors. He is concerned because he believes this is a reasonable expansion of an existing use. Therefore no variance is required. Also, the only issue he has that could adversely affect surrounding areas is loud music outdoors. M. Hollis stated they are agreeable to limiting the restaurant hours, but without the restaurant, there could still be noise coming from the winery under its permitted use. Ms. LaBelle clarified that the music they have on Thursday nights in good weather is usually acoustic guitar. R. Rowe doesn't wish to put a condition on it, but wants the volume level of music to be considered.

W. Sullivan asked if there have been any noise complaints. None to their knowledge.

D. Kirkwood opened the floor for comments and gave instructions to the public on how to proceed.

1. Suzanne Alger 28 Spring Rd

She supports Amy and Caesar and LaBelle Winery. LaBelle Winery is not just a business. It is a place to go with friends to relax and have an enjoyable afternoon or evening. They are great hosts and treat you as a guest. The facilities are warm and inviting and the staff makes you feel welcome and comfortable. Amherst should be proud to have them live in and have their business in the community.

2. Owner of Camp Young Judaea Ken Kornreich 9 Camp Rd

The camp is a direct abutter to the winery. As a neighbor, he couldn't have a better neighbor. He has had no instances of loud noise, traffic or people coming to his property. There has been no interruption to his business. They have been good friends and good neighbors to both him and to the town.

3. Terri Behm 30 Woodland Dr

She asked how the original plan is different than current plan. M. Hollis answered by showing the slide of the plan that the ZBA originally saw and highlighted that it did not have the bistro on it. He further explained that the ZBA does not make the determination that brought the applicant back. The Zoning administrator made that determination and the applicant didn't appeal it. Instead, they decided to go before the ZBA for the variance. She was further encouraged to review the minutes of all of the previous hearings regarding this case and to contact the Director of Community Development for further explanation.

4a. Mona Kolocotronis 12 Mont Vernon Rd

Amherst has moved away from its agricultural roots. As the town has become more of a bedroom community, farming and agriculture have become less important to the town. The winery offers us a chance to recapture those roots and reconnect with the land in a way that few other businesses in town offer. Locally grown wines is the central focus of that effort, but food is an important part of that as well. The ability to take part in the farm to table experience with respect to the wine and the food in full view of the agricultural fields is essential to that experience. We understand the desire to protect the town, and we understand the difficulty in determining where to draw the lines, but for us there is no question in this case. We've been there many times. It is a beautiful facility that provides a welcoming atmosphere in which to gather with family and friends. We've never experienced any issues with traffic. The winery draws people from surrounding areas as well as from other states. We should be glad to have a place that draws people in to experience Amherst. We urge the board to let the winery serve food.

286 4b. Tom Ventura 9 Eaton Rd  
 287 One of the unique aspects of this facility is the farm to table experience. If you take away the restaurant,  
 288 you'll just have tables full of wine. I appreciate the food there and the wines are outstanding and  
 289 unique. They are so unique that you have to pair them with foods to get it right.  
 290

291 5. Bill Hovey 18 Dodge Rd  
 292 The big issue is the jobs. The people there are wonderful. The people that work there are thrilled with  
 293 their jobs and the way they are treated. I'm a supporter of small business. This is a unique experience in  
 294 a place that is surrounded by the chain food restaurants and box stores down the road.  
 295

296 6. Jane Curran 44 Buckridge Dr  
 297 We appreciate the beautiful winery. Her kids who live all over the country really enjoy the place. It is  
 298 elegant and has made such a difference in the community. It draws young people into this area. The  
 299 food is delicious and they enjoy the food and wine and the full experience.  
 300

301 7. Steve Lewis 36 Old Manchester Rd  
 302 He has seen no interference with traffic at that location on Rt. 101. There is an effect on the community-  
 303 a positive one. This company employs people and gives back to our children and our town for school  
 304 support. If you adversely affect that business, they are in a lessor position to provide that support back  
 305 to our community. The more we nurture and help our business community, the more they're able to  
 306 give back. He fully supports granting the variance.  
 307

308 8. Bruce Sturtevant 228 Boston Post Rd  
 309 He works for Labelle Winery and has for about two years. He delivers wine. The owners give so much  
 310 back to the town. He delivers donated food from them to local charities. The winery attracts many from  
 311 out of town with the diversity of programs they offer including: cooking/ art/ music/ yoga/ book  
 312 authors/ family activities. They even provide lunches for the kids when they are sledding. LaBelle winery  
 313 adds to the revenue of the town. They maintain the beauty and culture of Amherst.  
 314

315 9. Rolf Biggers 25 (½?) Mack Hill Rd- Middle st  
 316 Principle architect with BMA and he presented part of the original application and designed the building.  
 317 At the original time, the café was a minor portion of the application. Most of the focus was on the event  
 318 center and where we were going to park these cars. The main concern of the board was, is this really an  
 319 agrarian- based function? And, what are we going to do if this is not successful? The food service on the  
 320 side was secondary and not a completely formed idea. At this point- we're at the wrong venue- we  
 321 should be at the planning board to talk about infrastructure, capability, traffic. But now that we're here,  
 322 let's put this to bed. Regarding public interest, it can be defined by the master plan which includes the  
 323 importance of creating spaces where people can gather and get together. The winery has been  
 324 successful and it's something we all want and need.  
 325

326 10. Larry Thibodeau 4 Fair Oaks Dr  
 327 He lives about a mile away from the winery. The owners have put their lives into this business. They  
 328 started as husband and wife and now they have 70 employees. What they've built should be granted,  
 329 not taken away.  
 330

331 11. Chris Czech 38 Christian Hill Rd  
 332 He is newer to town. LaBelle Winery is special to him. What started as a wine tasting one day, turned  
 333 into them having their wedding there about a year ago. He has experienced both sides of the venue.

He has been there on a Saturday night when a 200 person function is going on and you don't even know there's big function going on in the next room. He has enjoyed the soft music on the patio. He drives by every day on his commute and has never seen any traffic issues or accidents.

12. Sandra Ieradi and daughter Alexis 62 Chestnut Hill Dr

Her daughter did an internship with Amy and her son has also worked for them. It's great that they can offer jobs to youth as well. On behalf of woman-owned businesses, small businesses in Amherst and as a fellow citizen, she supports the effort to have a quaint food offering that is in keeping with the vineyard and the winery and lends itself to the ambiance of what makes Amherst special. She has been there many times and has brought friends and colleagues with her who have also purchased items while they were there. Without the bistro, the draw to bring people would go down which would hurt the winery.

Alexis stated it was wonderful having her internship there and working with a woman CEO as she wishes to continue in entrepreneurship. Amherst is an aging town and we're looking for ways to bring younger families to town. LaBelle is one of the draws that would bring her back to start her own family here. LaBelle is a place for young couples to get married, the bistro is great for families and the winery acts to teach people about the agricultural culture of Amherst.

13. Paul Tripp 82 Merrimack Rd local business owner of 13 Columbia Dr

According to Kelly Ayotte's recent newsletter, the State of NH is investing about \$100,000,000 into workforce development. 30 jobs would be lost if the bistro was gone. Substantial justice would be served for allowing the continuance of the bistro for the state of NH and for the town of Amherst.

Public comment ended at this time.

**C. Vars moved and W. Sullivan seconded to enter deliberations. Vote: Unanimous**

**R. Rowe moved no regional impact. C. Vars seconded. Vote: Unanimous**

**DELIBERATIONS:**

**1. Case # PZ6132-051515 – Variance**

1. The Variance will not be contrary to the public interest.

R. Rowe would not be contrary. Use is agricultural and this is. Reasonable to expand to small restaurant in addition to facilities based on the specific hours they noted.

W. Sullivan agree

C. Vars agree and the appearance of the building adds a lot to the town. When you drive by there's nothing in objection to the public interest visible. No change to character of neighborhood or health, safety or welfare.

K. Shea agree that it's not contrary to public interest

D. Kirkwood agree the use is in keeping with the northern rural zone and it's not your traditional New England building, but it is done in such a way that it fits in nicely and provides a little visual contrast which is not a distraction, but a positive distinction. That's not easy to achieve. It is in keeping with the master plan and is not contrary. True

5 True



382 2. The Variance is consistent with the spirit and intent of the Ordinance.  
 383 W. Sullivan yes. Doesn't adversely affect. No safety issues. Abutters agree.  
 384 C. Vars agree no one spoke in opposition  
 385 K. Shea agree with what's been stated and it's a subordinate use  
 386 R. Rowe agree  
 387 D. Kirkwood true  
 388 5 True  
 389  
 390 3. Substantial justice is done.  
 391 C. Vars yes no changes to physical facility. Owner was granted reasonable use of facility and it does not  
 392 create any harm to public  
 393 K. Shea yes no benefit to public if deny the variance. And significant harm to owner if denied  
 394 R. Rowe true  
 395 W. Sullivan true  
 396 R. Panasiti added that many employees would lose their jobs if the variance is not granted  
 397 D. Kirkwood true  
 398 5 True  
 399  
 400 4. The values of the surrounding properties will not be diminished.  
 401 K. Shea yes. If property was vacated due to a negative vote, it might decrease values. Received  
 402 appraiser's opinion  
 403 R. Rowe true  
 404 W. Sullivan true  
 405 C. Vars true  
 406 D. Kirkwood true  
 407 5 True  
 408  
 409 5. Literal enforcement of the provisions of the Ordinance would result an unnecessary hardship.  
 410 R. Rowe the zoning ordinance allows agricultural use within the zone. It is still agricultural and it's quiet.  
 411 A 99 seat restaurant is a reasonable expansion of the existing use  
 412 W. Sullivan yes agree that it meets the conditions. This is a road where 1000 cars go by an hour- the  
 413 property is not zoned the way it should be. It's a very reasonable use. There's a unique condition here  
 414 where the property is zoned residential which is ridiculous. And it's zoned agricultural but hasn't been in  
 415 agricultural use in decades. These are unique and special conditions to this particular location.  
 416 C. Vars reasonable use for that property. Planning board submitted a letter suggesting highest and best  
 417 use of the property and stand by it. Don't see a difference between sitting at a table to have wine or  
 418 enjoy a sandwich. Very reasonable use. Site does not lend itself well for housing.  
 419 K. Shea The road is a major east- west throughway. It's 50 mph in Amherst. Can't think of a better use  
 420 for this property. The traffic study confirmed the single lane is adequate. Any other use may require a  
 421 controlled intersection. The property complements the town.  
 422 D. Kirkwood true  
 423 5 True  
 424  
 425 D. Kirkwood stated that having passed the five tests, the request for variance is granted.  
 426  
 427 **C. Vars moved and R. Panasiti seconded to come out of deliberations. Vote: Unanimous**  
 428  
 429

430 **Other Business:**  
431 **Minutes- March 17, 2015, April 21 and May 19, 2015**  
432 **March**  
433 **W. Sullivan moved and R. Panasiti seconded to approve the minutes of March 17<sup>th</sup> as**  
434 **submitted. Vote: Unanimous**  
435 **April**  
436 **R. Rowe moved and K. Shea seconded to approve the minutes of April 21<sup>st</sup> as submitted. Vote**  
437 **in favor: D. Kirkwood, R. Rowe, K. Shea. Abstained: W. Sullivan, C. Vars, R. Panasiti**  
438 **May**  
439 **C. Vars moved and K. Shea seconded to approve the minutes of May 19<sup>th</sup> as submitted. Vote**  
440 **in favor: R. Rowe, K. Shea, C. Vars. Abstained: R. Panasiti, W. Sullivan, D. Kirkwood.**  
441  
442 R. Panasiti brought up the topic that Rolf Biggers had brought up earlier about the town looking  
443 for places for people to gather. He wondered if this was an appropriate time to bring attention  
444 to the planning board regarding the masterplan. D. Kirkwood stated they usually comprise a list  
445 of items and give them to the planning board in that format. C. Mailloux stated that earlier is  
446 better if there are issues that the ZBA wants the Planning board to discuss at their work  
447 sessions.  
448 C. Mailloux has heard concerns with the northern entryway of Amherst and not wanting it to  
449 turn into 101A. Now that the DOT has public funding, 101 will be expanding. The planning  
450 board should look at a 20 year plan.  
451 D. Kirkwood There is a strip that is clearly not rural. There is a portion of the area that is. We  
452 had a general office zone which crept into the northern rural zone to try and accommodate  
453 some of these businesses. We may want to discuss it amongst ourselves at a meeting and come  
454 up with something that makes sense to pass on to the planning board.  
455 W. Sullivan is that in our jurisdiction?  
456 D. Kirkwood RSA doesn't say anything about the communication between the groups. And that  
457 is good government.  
458  
459 R. Rowe said J. Quinn is very discouraged and is thinking of resigning from the ZBA.  
460  
461 **Elections:**  
462 Two regular members were not at the meeting, so elections were tabled  
463  
464 **W. Sullivan moved and C. Vars seconded to adjourn at 9:10pm. Vote: Unanimous.**  
465  
466 Respectfully submitted,  
467 Jessica Marchant