

AGRICULTURE COMMISSION MINUTES

December 1, 2022

MEMBERS PRESENT: Sarah M Silk, Chair; Lawreen Strauch, Vice-Chair; David Strauch; Katy Peternel; David Rodgers (6:50)

MEMBERS ABSENT: Marge Strunk, Wendy Rodgers, both excused

ALTERNATES PRESENT: Kurt DeVlyder, Macy Gotthardt

STAFF: Jason Durrance, Codes Enforcement (8:00 departed)

GUESTS: Nadine San Antonio, Farmers' Market (8:00 departed)

I. Approve Minutes of 10-6-22:

Sarah Silk, Chair, opened the meeting at 6:45 PM with introductions of members, alternates, guests, and staff.

Macy Gotthardt was appointed to sit for Wendy Rodgers and Kurt DeVlyder for Marge Strunk.

With a motion from Kurt and a second from Macy, the Minutes of 10-6-22 were unanimously accepted as written.

Sarah referred to the attachments to the Meeting Notice and handed out copies of the 175-44 local sign ordinance as well as NH RSA 21:34-a definition of Agriculture (including farm roadside stand and farmers' market).

II. Discussion of Sign Regulations – Jason Durrance, Building & Codes Enforcement:

Nadine San Antonio, Farmers' Mkt, reviewed the placement of signs in the past, 1 each at the following locations: a banner on the berm at The Nick; a small sign at the So. Wolfeboro Park; and a 3'x5' sign on Brewster property at the intersection of Rt 28 & So. Main St, Pickering Corner.

Summer 2022, the sign at Brewster had been removed (assumed by Town employees, but not by the Codes Officer, ending up at the Pub Wks Garage). The goal is compliance but challenged as the temporary event definition is for single events.

There was a brief discussion regarding proliferation of painting and mosquito signs (the size of small political signs) and lack of removal of such. The bayonet/tall flutter flags were deemed by Jason Durrance, Codes Officer, as not allowed and enforcement is ongoing. Signs on sidewalks are sometimes on private property depending on legal lot lines, which are not consistent. Signs on private property and those in public rights of way, political signs, and business signs all have different requirements.

Jason and the group were in accord that the Temporary Event Ordinance for non-profits, really is out of step with events which are more than 1 day. Examples being the Farmers' Market (1/2 day/wk from May thru Oct), the Masons Breakfast (1 Sunday/month year round), and Great Waters

(many times scattered throughout the year, primarily July-fall). It was noted that many Great Waters events are not held in Wolfeboro (Moultonborough at Castle in the Clouds).

The 14 days in advance of the event, plus 2 days after, makes no logical sense for a weekly event, thus requiring dismantling of signs and posts needing more than 1 person and a vehicle with adequate space.

Kurt DeVlyder sought information from Jason for deadlines relative to petitioned warrant articles for the March 2023 vote. Jason responded it was soon as a hearing was required by the Planning Board after the petition with 30 valid signatures of voters is filed and verified with the Town Clerk. Dec 14 is the cutoff date.

Sarah read parts of NH RSA 21:34-a pertinent to farm roadside stands and farmers' markets. She also referred to RSA's 236: 70, 72 and 73 related to Outdoor Advertising. The latter 3 are more directional in nature and highway oriented. The number of signs allowed for individual farms appears to be lost or forfeited when many farms join at a market. There is a difference between town-owned property and events on private property such as The Nick.

III. Sign Committee Status:

Sarah read the 11-19-22 Draft Minutes from the Sign Committee which focused on Brewster property, mentioned So Wolfeboro Park briefly, and did not address other parts of town. Both Jason and Sarah had been under the impression the committee focus would be all encompassing.

Sarah felt So Wolfeboro Park is not owned by Brewster and inappropriately included with the downtown location. Two signs at the park seem overly restrictive especially as downtown signage is greatly reduced to 4 signs at any one time. A better approach might be to limit the size of signs at the park location, thus allowing a more equal opportunity for all organizations to be seen. (Historically, more than 2 signs have been there off and on.) Currently, Jason advised signs can be 48' square.

Nadine reiterated she is trying for compliance, but hampered as the temporary event ordinance does not address the circumstances.

Jason suggested an ordinance change might take into consideration the amount of frontage where the event sign was located. It was unclear if the Planning Board can change petitioned warrant articles, if only the deliberative session can make changes, or if they stay in the original wording.

Kurt suggested there is a short term and a long term solution needed. Nadine, and Jason agreed. Ordinance change for multiple occurring entities would be the long term goal. Short term might be applying for multiple permits – perhaps 6 permits for the Market's 13 weeks, while a group works on a new ordinance. Sarah suggested filling out a form, Xeroxing it minus the dates, then customizing it with monthly dates to cover May-Oct for 2023.

Jason addressed the enforcement process: a letter for removal within 5 days with removal by the Codes Officer after that.

Nadine noted the difference in sign requirements in different towns. Jason noted Tamworth does not have zoning. Brookfield allows the small signs with permission of the landowner. It's believed

Ossipee allows the small signs for a fee of \$75 each. Wolfeboro 175-44: G, 2 (a) General Residential District has a limit of 3 signs total with "Not more than two of said signs shall be displayed off premises." Any change to The Nick's sign might incorporate the on premise issue of putting it up and down repeatedly. Offsite signs would still be at issue.

Farmer' Market does not really fit seasonal business definition which would then require compliance for site plan review.

Sarah asked if Jason knew what other towns with farmers' markets had for sign ordinances. She noted the Dept of Ag has lists of Market locations.

Katy Peternel offered to check with the Ag Div of Markets and Foods about signage.

Lawreen Strauch noted when she was a Farmers' Market member at Clark Park there were limitations about sign placement even on town property.

Jason was encouraged to have a broader sign committee. He will check other state statutes regarding any other mention of signs specific to farmers' market

The Ag Commission is supportive of a new ordinance and the Farmers' Market.

Kurt asking who would prepare a new ordinance, and Katy offered to contact someone from the Masons, and Great Waters to work on the ordinance with Nadine.

Nadine and Jason departed at 8 PM with the chair thanking them for their attendance.

IV. Updates: CCCD (Catherine Default)

Sarah read an email from Catherine Default with 2 announcements: 2nd Conservation District Resilience Grant funding is available with a form Sarah can forward; and the Conservation District is looking for volunteer supervisors as a sort of steering committee to determine priorities with an obligation of 2-5 hours/month depending on the time of year.

V. Old Business/Any Other Business:

Katy advised the Governor sought to reappoint Shawn Jasper, but the Governor's Council had questions at a hearing today .

VI. Annual Town Report:

Sarah read the Annual Report draft with the members having no changes. It will be submitted to Amy Muccio for inclusion in the Town Book.

VII. Next Meeting Date/Adjourn:

The Ag Comm will meet on **Thursday, February 2nd, @ 6:45 PM, @ the Wolfeboro Library. Please mark your 2023 calendars.** With a motion from Katy and a second from Dave Strauch, the meeting unanimously agreed to adjourn at 8:35 PM.

Respectfully submitted,

Sarah M Silk, Chair/Acting Secretary