



Planning Board Minutes
PO Box 277
Dublin, NH 03444
May 4, 2023

The Planning Board met on May 4, 2023 in the basement of the Town Hall. Present were Don Primrose- Chair, Donna Garner- Vice Chair, Susan Peters- Select Board Representative. Members: Caleb Niemela, Katy Wardlaw, Kirsten Colantino, Francis McKenna and alternates Neil Sandford, Archie McIntyre, Karl Eckilson and Bob Sardinskas and alternate, Brie Morrissey via Zoom. Also present were Harold and David Mielke, owners of Smokehaus BBQ and Dublin resident, Emily Primrose.

Call to Order: Don opened the meeting at 7:00pm.

Approval of Planning Board Minutes, April 20, 2023: Donna made a “motion to approve the minutes as amended”. Susan seconded. Roll call vote: Donna, yes. Kirsten, yes. Susan, yes. Katy, yes. Don, yes. Caleb, yes. Francis, yes.

Old Business: Driveway Permit- Snow Hill Road- Map 6 Lot 22 : Prior to any information being presented to the Board, Donna recused herself from the topic since her property abuts the property in question. Caleb told Don - Sturdy Thomas, representing Thomas Hulslander, wanted the Driveway Application removed.

Driveway Permit- Charcoal Road- Map 5 Lot 60B: The Board received an email from them stating that they want to rotate and move house. The Lawlors will send the Board an updated site plan. The Board will review the plan once they receive it.

Smokehaus Barbecue sign permit: Don reviewed the process to date, reading and quoting previous minutes. The question arose as to whether the previous sign/site was “grandfathered” and, if so, that status needed to be noted and taken into consideration. Discussion ensued about what constitutes “grandfathered”. Note that although most ordinances have a one-year window, the NH Supreme Court has ordered towns to waive strict compliance with that provision in cases where the owner can show there was no intent to abandon the use. The Board had received a letter from Ann Conner (see attached) who represents the owner of Audrey’s, stating that the restaurant was originally intended to be temporarily closed due to COVID. They had every intention to reopen with hours of 7am-3pm for breakfast/lunch and 5pm-8pm for diner. However, staffing issues became a problem and they began to look for another restaurant to rent the property. The current owners of Smokehaus Barbeque, Harold and David Mielke state that there have been no changes in lighting, parking or operations. They will have less hours and less seating (80). A few outside changes have been made which were necessary to the functions of their type of restaurant but are not visible to the public. Caleb made

a “motion to keep the grandfathered use of Aubrey’s Restaurant to be transferable per approved site plan dated(.....). The property owner showed they had no intent to abandon the use.” Kirsten seconded. Roll call vote: Donna, yes. Kirsten, yes. Susan, yes. Katy, yes. Don, yes. Caleb, yes. Francis, yes.

New Business: Existing Smokehaus sign- Don had spoken with current owners and informed them that they had been approved to display a 26 square-foot sign but the erected sign is 37.2 square-feet. Therefore, they are in violation of Dublin’s ordinance and subject to fines. The Mielkes stated that they had trusted Classic Signs, whom they had worked with before, to build the sign within the 26 square-foot restriction. Once discovered that the sign was in violation, they covered the sign. The Planning Board is allowing them to uncover the sign for a period of 30 days. It will be considered a temporary sign and not subject to violation fines. Don will issue a follow-up letter to the owners emphasizing what was discussed tonight along with the timeline of 30 days to replace the existing sign.

Review of Smokehaus sign Discussion: Don suggested an open dialogue to review how the discussion/sign process with the Mielkes went. There was discussion about improving communication making sure that only one motion is on the floor at any given time (a problem in the past), and that the motion is seconded and voted upon. Discussion included better follow through with Board decisions and how to improve communication with Dublin’s Code Enforcement Officer, Mike Borden. Mike has been invited to attend a future meeting to discuss what he needs from the Board to keep abreast of applications.

Planning Board Development: Copies of the Driveway regulations will be made and distributed to all members for their review. Full discussion will be scheduled for a future meeting.

The Right to Know Law was briefly discussed in relationship to emails. It was suggested that as a Planning Board member, each person should think about having a separate email account from their personal email account. This would prevent their private matters from ever being subpoenaed by a court of law should a legal issue ever arise. Don will check with the Town Administrator to find out how one goes about this.

Other Business: Bob Sardinkas asked the Chair if he, as an alternate, has the right to speak on any issue. He was informed that alternates are encouraged to participate in all matters. Once a motion is on the floor and has been seconded, only voting members can contribute if there is “any further discussion”. This rule is in effect to make it clear who is actually voting and making the decision on any given issue.

Karl Eckilson stated that Keene has a Solar Farm under construction south of Goose Pond. He questioned if Dublin had an ordinance to protect Dublin from a similar situation where large areas are clear-cut to erect the panels. Katy mentioned that clear-cutting trees to make way for a Solar Farm is actually counterproductive as the trees are vital in carbon-dioxide/oxygen exchange. Dublin has cell tower and Solar Field ordinances in place.

Adjournment: There being no further business, Don made a motion “to adjourn the meeting at 8:37pm”. Kirsten seconded.

Minutes respectfully submitted by Pamela J. Celko



May 4, 2023

Planning Board Dublin, NH

My name is Ann Connor, and I am the Chief Operating Officer for Audrey's Café/Duckburg Holdings LLC. I am writing this on behalf of Beau Gillespie owner of this property.

Audrey's was temporarily closed during the beginning of Covid. Our intention was to re-open this restaurant as the Covid issues began to decline and life got back on track. We were excited to re-open because we had just started a dinner menu a few weeks before the Covid close. Our hours when open were 7am-3pm for breakfast & lunch and then re-open at 5pm – 8pm for dinner.

Unfortunately, like many restaurants, we had a difficult time ramping back up in regard to labor and the Covid issues that lingered on.

It was never our intention to close this restaurant and it was not part of the overall plan for this business and was a very difficult decision to make.

We felt strongly that this property should remain a restaurant. Great location and a beautiful new building. We spent many months aggressively looking for a restaurant to occupy this space and were lucky enough to find the Smokehaus. Who will be great stewards to Dublin and the neighboring towns.

We are thrilled to have found a business that wants to continue using this property as a restaurant. The new theme, menu and name will make many in the Monadnock Region excited to have a fully operational restaurant back in this property.

Please contact me if I can be of further service.

Sincerely yours,

Ann M. Connor

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Chief Operating Officer

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