

October 11, 2022

Via Email  
Town of Newfields  
Planning Board  
c/o Glenn Greenwood, Town Planning Consultant  
glennkgreenwood@gmail.com

**Re: Site Plan Application Supplement**

Dear Chair Couture and Members of the Planning Board:

I write in continued representation of Vernon Family Farm on their application for site plan approval to allow agritourism activities on their property. We remain eager to meet with the Planning Board this week to update the Board about the Farm's current agritourism activities towards selling the Farm's products. Please make this letter part of the record on this matter.

First, after review of the Abutters Notice and conferring with the Town Planner, we understand that Planning Board's long-standing practice is to consider any application for site plan, no matter what the substance is, as a "modification" rather than a new application when, as is the case here, the applicant already has an approved site plan in place. So, given that the Farm has an approved site plan in place for the farmstand from 2015, we understand the current application is a request to amend the 2015 site plan, even though this application does not involve the farmstand, and accordingly we clarify the application package to be a request for a site plan amendment, and not a request for a new site plan approval.

Additionally, our September 28, 2022 submission regarded agritourism events and did not provide any information about the pavilion structure. Upon review of the Selectboard meeting discussion of October 4, 2022, we learned that the Selectboard anticipates the Planning Board will consider the pavilion as part the Farm's request for amended site plan approval.

To assist in that review, we have enclosed the materials generated in connection with our dealings with the Selectboard on this issue, as well as an affidavit from Greyson Contracting, by Doug Gaines, the builder of the current pavilion, testifying and swearing under oath that the pavilion is built to code. Also, we have arranged for Mr. Gaines to attend on October 13, 2022 in case the Board has questions for him on this subject.

Thank you for your consideration of this additional information. We look forward to discussing more with you on October 13.



On behalf of Vernon Family Farm, we continue to respectfully request that the Planning Board approve the Farm's request for site plan amendment at the Board's meeting on October 13, 2022.

Please let me know if you have any questions I can address beforehand.

Very truly yours,

A handwritten signature in blue ink that reads "Amy Manzelli". The signature is fluid and cursive, with the first name "Amy" and last name "Manzelli" clearly distinguishable.

Amy Manzelli, Esq.  
*Licensed in New Hampshire &  
Maine*  
(603) 225-2585  
manzelli@nhlandlaw.com

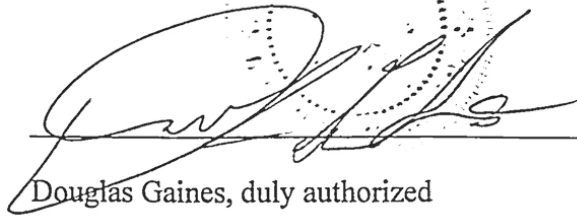
Cc: Client

AFFIDAVIT OF GREYSON CONTRACTING LLC.

1. My name is Douglas Gaines, and I reside at 416 Littlefield Road, Wells, ME 04090.
2. I have worked for Greyson Contracting LLC since its inception in 2016 and have always been its Principal Owner.
3. I fulfilled the contract for Vernon Family farm in building the current pavilion for them.
4. I have been working in the construction field for over 25 years in Maine and New Hampshire and have an extensive background in residential and commercial construction, working alongside state and local officials.
5. In building the pavilion, we were tasked to assess the existing structure, which was the 24' by 32' platform built and permitted by the Vernons in 2021 for the walk-in coolers and freezers, and design and build a post and beam style roof, extend the platform, and build partial walls. Part of the assessment was to ensure the structural integrity of the existing platform that was previously approved to code standards. Upon assessment, in order to support the structural integrity of the new roof, we added additional precast 4' frost posts as well as adding additional GRK structural Lags to existing posts and joists.
6. Upon assessment, the existing structure was evaluated and compliant to today's building code.
7. In my professional opinion, Vernon Family Farm's pavilion was built in accordance with all applicable building codes, except that it did need a handrail on the stairs, which I understand has now been added.
8. The propane-fueled cooking equipment was installed after my work ended, and I offer no opinion on that.

I, Douglas Gaines as Principal Owner of Greyson Contracting LLC, hereby swear that the foregoing is true and accurate to the best of my knowledge, information, and experience.

Date: October 11, 2022

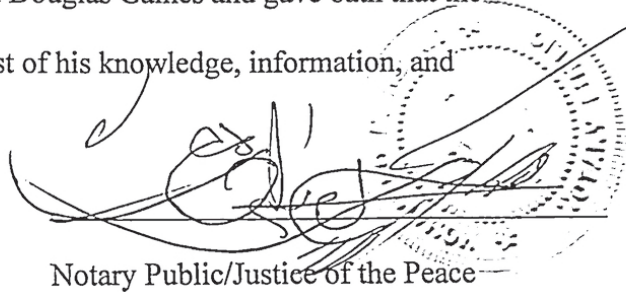
  
Douglas Gaines, duly authorized

*maine*  
STATE OF NEW HAMPSHIRE

*YORK* *maine*  
COUNTY

Personally appeared before me the above-named Douglas Gaines and gave oath that the foregoing affidavit is true and accurate to the best of his knowledge, information, and experience.

Date: October 11, 2022

  
Notary Public/Justice of the Peace

My Commission Expires:

MOHAMMED M. HERAVI  
NOTARY PUBLIC  
STATE OF MAINE  
MY COMM. EXP. JUNE 19, 2028

*Town of Newfields  
65 Main Street  
Newfields NH 03856*



[www.newfieldsnh.gov](http://www.newfieldsnh.gov)  
603-772-5070-phone  
603-772-9004-fax

September 13, 2022

Re: Vernon Family Farm Inspection

- 1) (Foundation or Sonotubes) – I was unable to see what is in the ground. The builder said he poured 10" Sonotubes and most of them were around 4' depth except a few that hit rocks or ledge. No post bases were on the tops of the tubes which are required. No pictures were available.  
Inconclusive/unknown
- 2) (Floor Frame) - I was unable to get under the floor. I believe it is framed with rough sawn pine. The builder confirmed there were no floor joist hangers used; this is required by code. I cannot see most of the frame in the floor. This part is inconclusive/unknown.
- 3) (Interior Stairs) – rails and ballisters are required on open side. On one side it must have full oval handrail with 2 ½" offset brackets and rail needs to be returned on both ends to the wall or posts.
- 4) (Walls and Roof Frame) – most of the wall and roof framing is not exposed so unable to complete this inspection. Inconclusive/unknown
- 5) (Building) – the building is 24' wide by 46' long. No pictures, blueprints or engineered stamped plans are available for this project.
- 6) (Plumbing) – there is no plumbing in the building. However, there is an outside sink on the side wall with cold water supply by garden hose. This sink drains onto the ground. There is no septic or oil separator for this. Nicole said that they wash their hands there. This leaves me wondering how they clean the kitchen and bar without hot & cold running water.
- 7) (Electrical) – it looks like they are running a wire underground from the panel in the old barn using a 20-amp breaker to power the new structure. I am not able to see what is in the ground. Also, looks like the wire coming out of the ground and into a small junction box, then coming out with four individual MC wires to feed this building. This should be a sub panel with individual breakers for each circuit. It should be fed by a 40 or 60-amp main breaker at the panel in the old barn. The wire in the ground needs to be in a conduit at the depth of 18" or more. This wire needs to be approved for this use. I have no idea if a licensed master electrician did this. This should be required. There should be hard wired smoke detectors, emergency exit lights, exterior lights at doorways, interior lighting, and fire extinguishers.
- 8) (Building Interior) – there is a couple fryolators in the kitchen area with three 20lb LP gas tanks approximately five feet away connected with rubber hoses. Also, one 275-gallon pellet fired grill vented through the roof, and one stainless cabinet with taps for kegs. I asked if I could look inside but was told by Jeremiah that I could not open it. I am assuming it was a refrigerator. I do not know if it is gas or electric, access was denied.
- 9) (Licenses) – none posted.

Larry Shaw  
Building Inspector

**From:** [Amy Manzelli](#)  
**To:** ["Michael Sununu"](#); ["jsilvani@newfieldsnh.gov"](#); ["Hoby Harmon"](#)  
**Cc:** ["Glenn Greenwood"](#); ["Sue McKinnon"](#)  
**Subject:** New status update from Vernon Family Farm - 9/28  
**Date:** Wednesday, September 28, 2022 10:05:14 AM  
**Attachments:** [image001.png](#)  
[image002.jpg](#)  
[Vernon Family Farm - 35% Sales Compliance Letter.msg](#)  
[image003.png](#)  
[Status update from Vernon Family Farm.msg](#)

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Good Morning Chairman Sununu and Members Harmon & Silvani,

For the Selectboard's meeting tonight, I wanted to provide another update on the three compliance issues, so you have the latest on Vernon Family Farm's continued progress and responsiveness. I understand the Board did not meet last week, so please review my update below from last week as well as my update immediately below from this week.

We continue to appreciate the Board's time and attention to these matters and your appreciation and understanding of the Farm's value.

1. **35% Farmstand Sales:** Please see my 9/20 update below.
2. **Inspection:** In addition to my 9/20 update below, I attach a photo of the exit signs with battery backup illumination. One I installed at one exit and the second will be installed at the second exit tomorrow. Also, the Farm has now met with the propane company and is working with them to gather information about options.
3. **Events:** In addition to my 9/20 update below, my office is filing the Site Plan Application today, as planned.



Kind thanks,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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**From:** Amy Manzelli  
**Sent:** Tuesday, September 20, 2022 4:48 PM  
**To:** 'Michael Sununu' <msununu@newfieldsnh.gov>; 'jsilvani@newfieldsnh.gov' <jsilvani@newfieldsnh.gov>; 'Hoby Harmon' <hharmon@newfieldsnh.gov>  
**Cc:** 'Glenn Greenwood' <glennkgreenwood@gmail.com>; 'Sue McKinnon' <suemckinnon@newfieldsnh.gov>  
**Subject:** New status update from Vernon Family Farm

Good Afternoon Chairman Sununu and Members Harmon & Silvani,

For the Selectboard's meeting tomorrow night, I wanted to provide another update on the three compliance issues:

1. **35% Farmstand Sales:** The Farm has now submitted documentation substantiating its compliance with the 35% threshold. (See my 9/14 email attached for ease of reference). Given that the Selectboard is the body the state statute authorizes to enforce conditions of site plan approval, we would respectfully request that the Selectboard move and vote that the Farm is in compliance with this condition of approval so that we can close out this issue.
  
2. **Inspection:**
  - a. The Farm is underway with the safety enhancements I wrote about in my update of last week (see my 9/13 email attached for ease of reference). These are essentially the same as what the Building Inspector identified in his 9/13 letter that I received on 9/16. Below is a photo to document the handrail has been installed. Also, the Farm is meeting with a propane company Tuesday. Emergency signs and back up lighting has been purchased, is on-site and, is anticipated to be installed and running this week or next.
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  - c. The Building Inspector re-inspected items already subject to inspection and approval, and therefore beyond the scope of this inspection. This includes the 24' x 32' pad and the electrical work associated with bringing power to it underground from the nearby outbuilding. The Farm had that work done in association with the 9/9/21 Building Permit the Building Inspector issued for the pad ("24' x 32' deck to put a walk-in cooler and walk-in freezer on"). This work already having been inspected and approved, it is not now subject to re-inspection.
  
3. **Events:** I have now met with the Town Planner to receive his input on the draft site plan review application for agritourism events. His input was that the draft provided a lot of good information for the Planning Board, which is what he understands is what is desired. He is going to share the draft with the Planning Board Chair to see if he has any input and let me know, and if he does, we will be sure to incorporate that into the application package. Meanwhile, we will finalize the site plan application package for submission by the 9/28 deadline for the 10/13 Planning Board meeting.

Thank you,  
Amy





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**From:** Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>  
**Sent:** Friday, September 16, 2022 4:34 PM  
**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; 'Michael Sununu' <[msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)>  
**Cc:** 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>  
**Subject:** RE: Status update from Vernon Family Farm

Amy, Attached is Larry Shaw's inspection report. Please let me know if you need anything else. Michael is out of State and won't return until Monday. Sue

Sue E. McKinnon, CMC  
Newfields Town Clerk/Tax Collector  
65 Main St  
Newfields NH 03856  
603-772-5070-phone  
603-772-9004-fax  
[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)

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**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
**Sent:** Friday, September 16, 2022 10:36 AM  
**To:** Michael Sununu <[msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)>  
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**Subject:** RE: Status update from Vernon Family Farm

Chairman Sununu,

Thank you for checking in on the events topic. Please see the correspondence you noted (my 9/13 status update letter) Number 3 on page 1 and the section titled Site Plan for Agritourism on page 3 which covers this topic. Namely, the Farm has prepared and provided a draft site plan application package to the Town Planner for his review and input.

As an update since we've been in touch, the Town Planner and I are now scheduled to discuss the draft on Tuesday of next week. As the Board noted during its meeting this week, this application is anticipated to be before the Planning Board at its October meeting. Hopefully, that covers this topic. If you wish anything further on this, please let me know.

As a clarification, I noted that the Building Inspector agreed to email his report to me at the same time he emailed to the Selectboard, the point being the Vernons would receive it at the same time the Selectboard received it. I think it's probably a distinction without a difference whether you forward it to me or whether the Building Inspector sends it to me, but I do want to make sure we're clear in our expectation of receiving it at the same time as the Selectboard receives it.

Thank you,

Amy

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**From:** Michael Sununu <[msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)>

**Sent:** Thursday, September 15, 2022 9:57 AM

**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>

**Cc:** Julia Nosel <[nosel@nhlandlaw.com](mailto:nosel@nhlandlaw.com)>; 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>

**Subject:** RE: Status update from Vernon Family Farm

Amy:

Thank you for the correspondence and we look forward to discussing these matters with you further. As noted, I will forward a copy of the Inspector Report after we receive it from the Building Inspector.

Just one immediate comment to note, in your summary on the first page, you neglected to mention the other outstanding issue which was agreed upon at the August 9<sup>th</sup> meeting and has been referenced throughout the emails that you included with the letter – the Vernon Family Farm also agreed to come before the Planning Board to discuss the events going on at the farm and how this comports with the rules/regulations or any agreements between the Town and the VFF.

Regarding the rest of the material in your letter, any decisions going forward will be based upon what the report contains and the evaluation by the Town officials and employees as to what steps are necessary. I am sure we will be following up after we have had a chance to review and understand the options and recommendations provided to us.

Thank you for your consideration in this matter.

Sincerely,  
Michael Sununu  
Newfields Selectboard

---

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**Sent:** Tuesday, September 13, 2022 4:50 PM

**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov); [jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov); 'Hoby Harmon' <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>

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**Subject:** Status update from Vernon Family Farm

Good Afternoon Chairman Sununu and Members of the Board,

Attached is a status update for your meeting tomorrow night. Thanks for working with the Vernons to date. We look forward to wrapping things up over the coming weeks and months.

Regards,  
Amy

**Amy Manzelli, Esq. she/her**  
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**Attachments:** [image002.jpg](#)  
[image003.png](#)  
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**Sent:** Tuesday, September 13, 2022 4:50 PM  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov); [jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov); 'Hoby Harmon' <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>  
**Cc:** Julia Nosel <[nosel@nhlandlaw.com](mailto:nosel@nhlandlaw.com)>; Glenn Greenwood <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>  
**Subject:** Status update from Vernon Family Farm

Good Afternoon Chairman Sununu and Members of the Board,

Attached is a status update for your meeting tomorrow night. Thanks for working with the Vernons to date. We look forward to wrapping things up over the coming weeks and months.

Regards,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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**From:** [Amy Manzelli](#)  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov); ["isilvani@newfieldsnh.gov"](mailto:isilvani@newfieldsnh.gov); ["Hoby Harmon"](#)  
**Cc:** [Julia Nosel](#); [Glenn Greenwood](#); ["Sue McKinnon"](#)  
**Subject:** Status update from Vernon Family Farm  
**Date:** Tuesday, September 13, 2022 4:50:07 PM  
**Attachments:** [image001.png](#)  
[2022-09-13 Manzelli Letter to Newfields Selectboard Re Vernon Family Farm Compliance.pdf](#)

---

Good Afternoon Chairman Sununu and Members of the Board,

Attached is a status update for your meeting tomorrow night. Thanks for working with the Vernons to date. We look forward to wrapping things up over the coming weeks and months.

Regards,  
Amy

**Amy Manzelli, Esq. she/her**  
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[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
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*Via Email*

September 13, 2022

Town of Newfields Selectboard  
Michael Sununu, msununu@newfieldsnh.gov  
Jacquelyn Silvani, jsilvani@newfieldsnh.gov  
Hoby Harmon, hharmon@newfieldsnh.gov

**Re: Vernon Family Farm - Follow up from August 9, 2022 Selectboard Meeting**

Dear Mr. Chair Sununu and Members of the Selectboard:

On behalf of Vernon Family Farm, I submit this letter to update you on Vernon's Family Farm's progress subsequent to our meeting with you on August 9, 2022. Please make this letter a part of the Board's record of this matter and include it in any consideration you may engage in during your meeting on September 14, 2022.

***Summary***

While the remainder of this letter provides further detail, following is a snapshot status update of the open issues as we understand them:

1. **35% Farmstand Sales:** Planning Board Chair agrees that a letter from the Farm's CPA certifying compliance is appropriate. The Farm's CPA is now underway preparing a statement.
2. **Inspection:** The Pavilion was inspected Tuesday September 13, 2022. The Building Inspector told me he would submit his report to the Selectboard in about one week and agreed to also email me a copy at the same time.
3. **Site Plan for Agritourism:** We completed the draft site plan application and submitted it to the Town Planner on Monday September 12, 2022 for his review and comment back to us, ahead of finalizing and submitting to the Planning Board for consideration at the Planning Board's October 13, 2022 meeting.

***Vernon Family Farm Chronology***

For purposes of the draft site plan application, we prepared the following chronology. I include it here because it touches on facts related to the three open issues noted above and it might be helpful.

- Nicole and Jeremiah bought the Property in 2014.
- The Vernons formed Vernon Family Farm, LLC on July 10, 2014.
- Vernon Family Farm began farming operations in 2014, including agritourism.

- The NH Department of Transportation issued the Driveway Permit on April 10, 2015.
- The Conservation Commission approved agricultural structures on April 23, 2015.
- The Planning Board approved site plan to operate a farm stand on July 15, 2015, following the Planning Board’s decision on April 14, 2015 that site plan approval was required for the farm stand.
- The Planning Board approved an amendment to that site plan approval to extend hours of operation to 8:00 p.m. on July 21, 2016.
- The Conservation Commission received legal advice that the Farm’s agritourism likely did not violate the Conservation Easement on January 5, 2017.
- The Vernons formed Vernon Kitchen, LLC, their catering business, on July 29, 2021.
- The Building Inspector issued a building permit for the pad (“24’ x 32’ deck to put a walk-in cooler and walk-in freezer on”) on September 9, 2021.
- The Farm applied for a building permit to construct walls and a roof over the pad on March 23, 2022, and then had the construction performed without a permit in reliance on advice of the Building Inspector who said that no permit was required because the Farm had said the structure was for agriculture, including agritourism.
- The Fire Department issued a Permit of Assembly for up to 300 people on May 5, 2022.

### *Supporting Attachments*

For the Board’s information, I have attached to this letter emails to substantiate and elaborate on communications noted in this letter.

### *35% Farmstand Sales*

As noted in the chronology above, in 2015 the Planning Board decided the Farm’s farmstand required site plan approval and granted that approval after the Farm applied. Those records reflect the state definition of “farm roadside stand” contained in RSA 21:34-a, III, namely: “A farm roadside stand shall remain an agricultural operation and not be considered commercial, provided that at least 35 percent of the product sales in dollar volume is attributable to products produced on the farm or farms of the stand owner.”

We understand based on our discussion with the Board during its August 9, 2022 meeting that questions have arisen as to whether the Farm complies with this minimum requirement associated with its 2015 farmstand site plan approval, and that these questions arose in connection with sale of alcohol at the Farm during agritourism events occurring apart from the farmstand.

During the August 9, 2022 meeting, we expressed the Farm's hope that the Farm and undersigned counsel verbally assuring the Board that the Farm does comply would suffice to satisfy this concern, especially given that we have never heard of any farm in the state having to produce evidence to prove this. We were dismayed that the Board did not accept those assurances. We also expressed concern over the sensitive nature of financial records given the likely fact that by virtue of providing them to the Board the records would become public documents pursuant to RSA 91-A (Right-to-Know). Happily, we agreed that I should confer with the Town Planner about the manner in which to appropriately document compliance.

I did that, and Town Planner and I agreed that a statement from the Accountant of the Farm, certifying review of the financial records and compliance with the requirement would suffice. Though I endeavored to speak with the Town Planner the week of the August 9, 2022 Selectboard meeting, my conversation with the Town Planner was delayed because the Town Planner experienced a personal occurrence out of his control (out-of-state death in his family). So, we spoke on August 23, 2022. I then emailed the Town Planner on September 6, 2022 to request follow up. On September 9, 2022, the Town Planner confirmed a statement from the Accountant would be appropriate. That same day, I notified the Farm, and the next morning the Farm notified its Accountant. Currently, the Accountant is underway preparing the statement, which we will submit when it is complete.

### *Inspection*

As noted in the above chronology, the Building Inspector issued a building permit for the pad ("24' x 32' deck to put a walk-in cooler and walk-in freezer on") on September 9, 2021. The following spring, the Farm applied for a building permit to construct walls and a roof over the pad on March 23, 2022, and then had the construction performed without a permit in reliance on advice of the Building Inspector who said that no permit was required because the Farm had said the structure was for agriculture, including agritourism. The construction also included extending the pad toward the farm and covering that portion with a roof as well.

As noted, our first opportunity to follow up after the August 9, 2022 meeting was on August 23, 2022 when meeting with the Town Planner. At that time, I suggested and understood Town Planner to concur that, first, the Farm would apply for site plan for agritourism activities, and second, an inspection would occur. The rationale was that if any aspect of the site plan application triggered any need for the Building Inspector to review anything in addition to the Pavilion, it could all be addressed in one inspection, maximizing efficiency and minimizing time, costs, and efforts for all involved.

I updated the Board about this on August 24, 2022 after the Building Inspector had tried to inspect the Pavilion, but no one had been notified. In response, Chairman Sununu emailed noting disagreement with having the inspection after the site plan application had been filed, among other things. Rather than disagree, the Farm set about trying to coordinate the schedules

of its builder, undersigned counsel, and Farm owners, resulting in my request on September 7, 2022 that the inspection be scheduled for the following week with the backup inspector. In response, Chairman Sununu emailed noting disagreement with the request for a backup inspector, among other things. Undersigned counsel sent an email response. The next morning, the Building Inspector, accompanied by the Chief of Police, tried to inspect the Pavilion but no one had been notified. Undersigned counsel and Chairman Sununu spoke that day, September 8, 2022, subsequent to which the Farm, through undersigned counsel, phoned and emailed the Building Inspector to request the inspection occur the following Tuesday so the builder could be present (or Monday without the builder). The Building Inspector concurred it would be helpful to have the builder present and we agreed to schedule the inspection for Tuesday September 13, 2022.

Accordingly, the inspection occurred on September 13, 2022 (today). Present were the Building Inspector, Newfields Chief of Police, undersigned counsel, the Vernons, the builder (Doug Gaines from Greyson Contracting), and some of the Farm's workforce. The builder is now due to provide photo documentation of two items (frost posts and fastening of trusses), which we will do through counsel in the coming days. Throughout the inspection, the Building Inspector had full access to the interior and exterior of the Pavilion and the nearby outbuilding where its electrical wiring is sourced. The Building Inspector examined the new construction and reinspected aspects he had already inspected and approved, such as the original pad and electrical. From my perspective, the inspection was productive and successful.

All along the Farm has been in wholehearted agreement with the Selectboard that it wants the Pavilion to be safe, both for the public and for its workforce. While the Pavilion has been safe, evidenced by the complete lack of any safety lapses, injuries, or anything like that whatsoever since its construction and operation, the inspection proved instructive to further enhance the safety of the Pavilion. The Building Inspector did not share his observations, findings, or recommendations. And as noted, the Farm is not due to receive the Building Inspector's report until he provides it to the Selectboard because upon request of undersigned, he agreed to email to undersigned at the same time he submits it to the Selectboard. However, we were able to generate the following list of enhancements for the Pavilion that the Farm is now committed to and underway implementing voluntarily. Should the report from the Building Inspector identify anything additional, the Farm will certainly look forward to review of those.

1. **Emergency Lighting:** The interior of the Pavilion has no lighting that would be illuminated in case of loss of power. The Farm will install lighting in the interior of the Pavilion so that there is illumination in case of loss of power.
2. **Stair Handrail:** The one set of stairs going from the lower to upper platform lack a handrail. The Farm will install a code-compliant handrail.

3. **Propane:** Propane is located in smaller tanks in the interior of the Pavilion. Propane will be redesigned. External propane, hard-piped with code-compliant shutoffs and other required appurtenances will be installed.
4. **Smoke Detectors:** The Farm will install smoke detectors in the Pavilion.
5. **Electrical Shut-Off:** The electrical for the Pavilion is from the nearby outbuilding, routed underground, as approved and inspected already last year. The only way to shut off power to the Pavilion is to shut off power to the entire panel. As an additional safety enhancement, the Farm will have an emergency shut-off for the power supply to the Pavilion installed at the electrical panel in the outbuilding. That way, in case of any worst-case scenario and there is an emergency in the Pavilion, it will be simple and easy to turn power off the Pavilion.

Additionally, we understand from the discussion with the Board on August 9, 2022 that on top of the Board's primary concern for public safety, the Board is secondarily concerned about any liability to the Town. To that end, the Farm's builder is agreeable to sign an affidavit that the Pavilion is built pursuant to code. I would be happy to cooperate with your Town Counsel to that end. Please let me know if I may propose a form of affidavit for this purpose.

### *Site Plan for Agritourism*

As noted, on August 23, 2022, Town Planner and undersigned developed a strategy with respect to this application. First, we decided we would work together to develop a sensible but robust application that provided the Planning Board an up-to-date picture and explanation of the agritourism activities underway at the Farm. To that end, after weeks of work with the Vernons and BCM staff, on September 12, 2022, I emailed Town Planner a complete site plan application package, including a detailed six-page write-up, along with two different hand-drawn site plans with keys.

Next, Town Planner is anticipated to review those materials and provide feedback as to what might be lacking, what might be able to be streamlined, etc. Generally, the objective is to get the application into the form that will be the most useful for the Planning Board. Afterwards, it will then be up to the Farm to implement that input from Town Planner and get the application filed ahead of the Planning Board's October meeting.

### *Conclusion*

On behalf of Vernon Family Farm, I thank you for the opportunity to provide this status update on these open issues. I apologize for not being able to attend in person but am booked to be in a hearing in the Lakes Region and could not rearrange given the short notice. Should you





need any further information, please contact me. Otherwise, we will continue to follow up as noted in this letter.

Very truly yours,

Amy Manzelli, Esq.  
*Licensed in New Hampshire & Maine*  
(603) 225-2585  
manzelli@nhlandlaw.com

Cc:  
Client  
Planning Board, c/o Glenn Greenwood, Town Planning Consultant,  
glennkgreenwood@gmail.com  
Town Clerk, suemckinnon@newfieldsnh.gov

**From:** [Amy Manzelli](#)  
**To:** "Sue McKinnon"  
**Cc:** [Julia Nosel](#); [Jeremiah Vernon](#); [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole Vernon](#)  
**Subject:** RE: Building Inspection  
**Date:** Tuesday, August 30, 2022 8:42:00 AM  
**Attachments:** [image001.png](#)

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Very good to know, on both accounts. Thank you!

**Amy Manzelli, Esq. she/her**

Offices in Concord & Keene, NH

[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)

Phone 603.225.2585



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**From:** Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>  
**Sent:** Tuesday, August 30, 2022 8:38 AM  
**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)  
**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>  
**Subject:** RE: Building Inspection

Amy, I have forwarded this email to the other two select board members and I wanted to let you know that Larry Shaw does his inspections on Tuesday and Thursday mornings. Thank you, Sue

Sue E. McKinnon, CMC  
Newfields Town Clerk/Tax Collector  
65 Main St  
Newfields NH 03856  
603-772-5070-phone  
603-772-9004-fax  
[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)

---

**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
**Sent:** Thursday, August 25, 2022 4:20 PM  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)  
**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>  
**Subject:** RE: Building Inspection

Good Afternoon Selectboard Member Sununu,

Thank you so much for being in touch. On behalf of Vernon Family Farm, I had requested clarification when appearing at the Selectboard meeting on their behalf. We have not been provided minutes from that meeting and as was noted at that meeting, the Board's website is not up to date with minutes. So, finally having intentions in writing is very helpful and I'm grateful.

To your point about the 35% minimum requirement, we have not forgotten that. When I met with Glenn Greenwood earlier this week, we discussed a proposal for documenting that which he and I agreed made sense. We left it that he would discuss it with the Chairs of the Select and Planning Boards and then let me know if they agreed. So, that is in process. (Keep in mind too that I already confirmed on the record that VFF is in compliance with that requirement.)

To your point about events having been approved several years ago, let me clarify that a bit. The site plan approval several years ago was for the farmstand. Events are part of the agritourism which will be the primary topic of the site plan application we are underway working on right now for the October Planning Board meeting.

For the inspection, the RSA you noted does not speak to notice either way. I will coordinate with the Vernons and we will work out a mutually agreeable date and time for an inspection to occur before we file the site plan application. I will be the point of communication for the Vernons on this, but feel free to keep them copied in.

As I said at the Selectboard meeting, and it remains true now, the Vernons and I look forward to working with the Town to get this all squared away. Vernon Family Farm so values feeding the Newfields community, and we know how much the community values the farm!

(Also, I've taken the other two Selectboard members off of the email to avoid inadvertent Selectboard meetings over emails in violation of RSA 91-A, but would request that Ms. McKinnon please share this communication with them individually and/or at a duly noticed meeting.)

Regards,  
Amy

**Amy Manzelli, Esq. she/her**  
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[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
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**From:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov) <[msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)>

**Sent:** Thursday, August 25, 2022 1:16 PM

**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; 'Jacquelyn Silvani' <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Hoby Harmon' <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>

**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>

**Subject:** RE: Building Inspection

All:

It seems there has been some confusion and I want to attempt to clarify what the sequencing should be for this process we discussed at the last meeting of the Selectboard.

1. Larry Shaw, the building inspector for the Town of Newfields, needs to go inspect the new facility at the Vernon Family Farm. While I appreciate Jeremiah's request for advance notice, it is not required under the state statutes RSA 155-A:7 (III). Despite this I am asking that Larry and Jeremiah mutually arrange a day/time NEXT WEEK for the inspection. As this facility is still being used by the public, it remains a public health and safety matter that needs to be addressed as soon as possible. Waiting until October for an inspection is not an acceptable delay in my opinion, nor should the Town abide by a demand for a written request to inspect which is not required (nor requested when we spoke of the matter at the Selectboard meeting). The Town has been willing to work with the VFF on this matter, but given the issues discussed at the last meeting we do not feel that delaying this process is warranted.
2. The building inspector will provide the Selectboard and the Planning Board a report on what he finds at the site.
3. The site review by the Planning Board should take place during the October Planning Board meeting, as per Amy's email (I have cc'ed the chairman and the consultant on this email as well) Having the inspection before that meeting (not after) is important to provide the Planning Board with the information as to the state of the facility and what issues may/may not need to be addressed. Putting the inspection off until after the Planning Board meeting in October seems counterintuitive to the Town bodies understanding what public safety and/or health issues may exist and allowing them to address them in a timely manner. Given this and the rationale above, again this inspection needs to take place as soon as possible.
4. The VFF also needs to come before the Planning Board to discuss the two other issues which we agreed to address at the Selectboard meeting – the information that shows the 35% threshold under the “farm stand” regulations is being upheld, and the status of the events that are held at the VFF per the approvals from several years ago. Amy and Jeremiah should reach out to the Planning Board (either through Glenn or Jeff) to schedule when they will come before the board for these matters and what materials they need to provide at that time.

Please let me know if there is anything in this email which is incorrect or not clear. I am happy to address any questions as to this content, or work with the building inspector, Planning Board Chair, Planning Board Consultant, the VFF or their legal representation to move this process forward in a

timely manner.

Thank you for your consideration.

Sincerely,  
Michael Sununu  
Newfields Selectboard

---

**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
**Sent:** Wednesday, August 24, 2022 10:47 AM  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov); Jacquelyn Silvani <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; Kisha Therrien <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; Hoby Harmon <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>  
**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>  
**Subject:** RE: Building Inspection

Good Morning All,

I'll be speaking with Jeremiah today. I had a very good and productive online meeting with Glenn Greenwood yesterday, after he was attending to an unforeseen personal matter last week. We did not make a set plan with respect to inspection, but conceptually we discussed that after the site plan application was filed for the October PB meeting, the inspector would do an inspection. Glenn and I will be coordinating further as we work on the application. In any event, let's please be sure to be more coordinated on inspection moving forward as Jeremiah noted below, keeping in mind that this is an operating farm with staff, deliveries, and customers on the move at most times.

Thank you,  
Amy

**Amy Manzelli, Esq.** she/her  
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Phone 603.225.2585



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**From:** Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>  
**Sent:** Tuesday, August 23, 2022 4:56 PM  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)  
**Cc:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; Hoby Harmon <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>; Jacquelyn Silvani <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; Kisha Therrien <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>

[Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>;  
[info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov)

**Subject:** Building Inspection

Hello,

The building inspector attempted to inspect our building today without notice.

To clarify, the building inspector, Larry Shaw, is not permitted at or on Vernon Family Farm without a one week notice and written permission from myself, Nicole or our lawyer.

Is there a reason the town was unable to provide notice?

Jeremiah

--

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**JEREMIAH VERNON** | OWNER

**[Vernon Family Farm](#) + [Vernon Kitchen](#)**

301 Piscassic Road, Newfields, NH 03856

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**To:** ["msununu@newfieldsnh.gov"](mailto:msununu@newfieldsnh.gov)  
**Cc:** [Julia Nosel](#); ["Nicole@vernonfamilyfarm.com"](mailto:Nicole@vernonfamilyfarm.com); ["info@vernonfamilyfarm.com"](mailto:info@vernonfamilyfarm.com); ["Sue McKinnon"](#); ["Jeremiah Vernon"](#); ["Kisha Therrien"](#)  
**Subject:** RE: FW Vernon's Building Inspection  
**Date:** Thursday, September 8, 2022 1:27:35 PM  
**Attachments:** [image001.png](#)

---

Thank you again for your time on the phone this afternoon, Selectman Sununu. As we discussed, there are a few points we do not agree on, but for the part of Vernon Family Farm, we think the best approach at this time is to agree-to-disagree, in hopes that we can get this all behind us. We do agree on the key points, which are making sure the new structure is safe and having the inspection done for that purpose.

To that end, I wanted to update you that I have left a phone message at Town Hall for Larry Shaw and sent him an email to schedule the inspection on Monday or Tuesday of next week.

Continued thanks,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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---

**From:** Amy Manzelli  
**Sent:** Wednesday, September 7, 2022 4:00 PM  
**To:** 'msununu@newfieldsnh.gov' <msununu@newfieldsnh.gov>  
**Cc:** Julia Nosel <nosel@nhlandlaw.com>; Nicole@vernonfamilyfarm.com; info@vernonfamilyfarm.com; Sue McKinnon <suemckinnon@newfieldsnh.gov>; 'Jeremiah Vernon' <jeremiah@vernonfamilyfarm.com>; 'Kisha Therrien' <ktherrien@newfieldsnh.gov>  
**Subject:** RE: FW Vernon's Building Inspection

Good Afternoon Selectman Sununu,

Thank you for your email.

To answer your question, in my experience statewide it is very unusual to email directly with selectboard members as opposed to town staff. I acknowledge your instruction and will copy you on any future emails.

I must respectfully disagree with your characterization that my clients and/or I are in any way delaying anything. I was on the phone to Glenn Greenwood within a day or two following the

Selectboard meeting on 8/9. We then connected, somewhat belatedly due to an unexpected personal issue on Glenn's end that was entirely out of Glenn's control (he had a death in his out-of-state family). When we talked, Glenn and I thought it made sense to have the inspection after VFF filed for site plan approval so that if there was anything that wanted inspecting, in addition to the new structure, it could all be done at once (maximal efficiency). You then emailed subsequently that you did not agree. Instead of argue the point with you, we agreed and since then have been coordinating to find a time that myself, the contractor, and Jeremiah can all be available. Once we found that time (yesterday), I contacted the Town right away (this morning) to make arrangements. That was the first logical time for us to raise the issue of requesting the backup inspector. We are cooperating and moving forward with all haste.

I must also ask that the Selectboard consider VFF's request for the backup inspector. I had intended for the request to be directed at the Board as a whole, consistent with practice and procedure.

To the RSA 91-A point, I am very grateful for your understanding on that point. It would be so much easier if we could all just hop on the phone as a group or email together. But, the statutes being what they are, there are certain constraints that make these communications so much more of a hindrance than they really should be. I continue to appreciate the time and effort you, your Selectboardmates, and the Town staff are putting into this matter, and we look forward to hearing back. (I'm northbound to a meeting in Bristol tonight but will be on email again tomorrow.)

Regards,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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---

**From:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov) <[msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)>  
**Sent:** Wednesday, September 7, 2022 12:02 PM  
**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; Julia Nosel <[nosel@nhlandlaw.com](mailto:nosel@nhlandlaw.com)>; 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Larry Shaw ' <[larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov)>  
**Subject:** RE: FW Vernon's Building Inspection

Amy:

Thank you for the email. While I appreciate, based on your comments from the prior emails, that you were removing the other two Selectboard members for 91-A reasons, I am not sure why you



dropped me from the email chain. Please cc me on your communications with the Town regarding this matter.

As to the request to not have Larry Shaw perform the inspection, I am not inclined to acquiesce to this. It has been almost a month since we had the meeting where you and the Vernon Family Farm agreed to the inspection. I made clear in prior emails that this needs to be done in a timely manner, emphasizing that the Selectboard and the Planning Board need this done both to mitigate potential liability and to better inform them as we consider how to address this matter.

At no time in the past four weeks was any concern raised about having Larry Shaw do the inspection. Instead we have been issued demands for written requests, which are not required under the law without any mention of the need for a different inspector. We have been asked to put off the inspection until October without any request for a different inspector. Now, with the inspection imminent there is a demand to have Larry Shaw removed from the process.

I find this request unnecessary and unless Mr. Shaw indicates a preference not to do the inspection, he will carry out the inspection on behalf of the Town. We are not going to further delay this by trying to now coordinate with another person who has not been part of these discussions for the past several months.

Regardless of your desire to delay this process, Mr. Shaw has been asked to move ahead per his schedule and get this done in a timely manner.

I suggest you immediately reach out to Mr. Shaw directly, as I suggested in prior emails, to coordinate when he intends to do the inspection. You have had ample opportunity over the past four weeks and since my email on August 25<sup>th</sup> (two weeks ago) to address this and you have chosen not to take that time to do so. Given the public safety issues and liability potential the Town will not delay this any further.

Sincerely,  
Michael Sununu  
Newfields Selectboard

---

**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
**Sent:** Wednesday, September 7, 2022 11:13 AM  
**To:** [ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)  
**Cc:** Julia Nosel <[nosel@nhlandlaw.com](mailto:nosel@nhlandlaw.com)>; Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); Nicole Vernon <[Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com)>; Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>  
**Subject:** RE: Building Inspection

Good Morning Kisha,

I got Sue's out-of-office saying to contact you while she is out. So, I'm forwarding along this time-sensitive message. Please see below. I'm not sure if you are up to speed on the inspection that is to

occur, so please feel free to give me a call for any information.

Thank you,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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---

**From:** Amy Manzelli  
**Sent:** Wednesday, September 7, 2022 11:03 AM  
**To:** 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>  
**Cc:** Julia Nosel <[nosel@nhlandlaw.com](mailto:nosel@nhlandlaw.com)>; 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; 'info@vernonfamilyfarm.com' <[info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com)>; 'Nicole Vernon' <[Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com)>  
**Subject:** RE: Building Inspection

Good Morning Sue,

Thanks again for your message. On behalf of Vernon Family Farm, I request that the Town send its backup inspector instead of Mr. Shaw due to the history of relations between Mr. Shaw and the Farm, including the unfounded reports of animal cruelty Mr. Shaw previously made to the state (which resulted in no findings of cruelty).

We are available to meet with the backup inspector next week Monday or Tuesday between 9:00 and noon. For the Farm, we will have myself, Jeremiah Vernon, Doug Gaines (the builder of the new structure from Greyson Contacting), and as usual various staff of the Farm will be around. We will document the inspection via videorecording.

Please email or call me to confirm arrangements. We'll need at least one weekday of notice. I continue to work mostly remotely, so my mobile is best: 6034969590.

Thank you,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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---

**From:** Amy Manzelli

**Sent:** Tuesday, August 30, 2022 8:42 AM

**To:** 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>

**Cc:** Julia Nosel <[nosel@nhlandlaw.com](mailto:nosel@nhlandlaw.com)>; Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); Nicole Vernon <[Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com)>

**Subject:** RE: Building Inspection

Very good to know, on both accounts. Thank you!

**Amy Manzelli, Esq. she/her**

Offices in Concord & Keene, NH

[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)

Phone 603.225.2585



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---

**From:** Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>

**Sent:** Tuesday, August 30, 2022 8:38 AM

**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)

**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Glenn Greenwood' <[glenngreenwood@gmail.com](mailto:glenngreenwood@gmail.com)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>

**Subject:** RE: Building Inspection

Amy, I have forwarded this email to the other two select board members and I wanted to let you know that Larry Shaw does his inspections on Tuesday and Thursday mornings. Thank you, Sue

Sue E. McKinnon, CMC

Newfields Town Clerk/Tax Collector

65 Main St

Newfields NH 03856

603-772-5070-phone

603-772-9004-fax

[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)

---

**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>

**Sent:** Thursday, August 25, 2022 4:20 PM

**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)

**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>

**Subject:** RE: Building Inspection

Good Afternoon Selectboard Member Sununu,

Thank you so much for being in touch. On behalf of Vernon Family Farm, I had requested clarification when appearing at the Selectboard meeting on their behalf. We have not been provided minutes from that meeting and as was noted at that meeting, the Board's website is not up to date with minutes. So, finally having intentions in writing is very helpful and I'm grateful.

To your point about the 35% minimum requirement, we have not forgotten that. When I met with Glenn Greenwood earlier this week, we discussed a proposal for documenting that which he and I agreed made sense. We left it that he would discuss it with the Chairs of the Select and Planning Boards and then let me know if they agreed. So, that is in process. (Keep in mind too that I already confirmed on the record that VFF is in compliance with that requirement.)

To your point about events having been approved several years ago, let me clarify that a bit. The site plan approval several years ago was for the farmstand. Events are part of the agritourism which will be the primary topic of the site plan application we are underway working on right now for the October Planning Board meeting.

For the inspection, the RSA you noted does not speak to notice either way. I will coordinate with the Vernons and we will work out a mutually agreeable date and time for an inspection to occur before we file the site plan application. I will be the point of communication for the Vernons on this, but feel free to keep them copied in.

As I said at the Selectboard meeting, and it remains true now, the Vernons and I look forward to working with the Town to get this all squared away. Vernon Family Farm so values feeding the Newfields community, and we know how much the community values the farm!

(Also, I've taken the other two Selectboard members off of the email to avoid inadvertent Selectboard meetings over emails in violation of RSA 91-A, but would request that Ms. McKinnon please share this communication with them individually and/or at a duly noticed meeting.)

Regards,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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**From:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov) <[msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)>

**Sent:** Thursday, August 25, 2022 1:16 PM

**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; 'Jacquelyn Silvani' <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Hoby Harmon' <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>

**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>

**Subject:** RE: Building Inspection

All:

It seems there has been some confusion and I want to attempt to clarify what the sequencing should be for this process we discussed at the last meeting of the Selectboard.

1. Larry Shaw, the building inspector for the Town of Newfields, needs to go inspect the new facility at the Vernon Family Farm. While I appreciate Jeremiah's request for advance notice, it is not required under the state statutes RSA 155-A:7 (III). Despite this I am asking that Larry and Jeremiah mutually arrange a day/time NEXT WEEK for the inspection. As this facility is still being used by the public, it remains a public health and safety matter that needs to be addressed as soon as possible. Waiting until October for an inspection is not an acceptable delay in my opinion, nor should the Town abide by a demand for a written request to inspect which is not required (nor requested when we spoke of the matter at the Selectboard meeting). The Town has been willing to work with the VFF on this matter, but given the issues discussed at the last meeting we do not feel that delaying this process is warranted.
2. The building inspector will provide the Selectboard and the Planning Board a report on what he finds at the site.
3. The site review by the Planning Board should take place during the October Planning Board meeting, as per Amy's email (I have cc'ed the chairman and the consultant on this email as well) Having the inspection before that meeting (not after) is important to provide the Planning Board with the information as to the state of the facility and what issues may/may not need to be addressed. Putting the inspection off until after the Planning Board meeting in October seems counterintuitive to the Town bodies understanding what public safety and/or health issues may exist and allowing them to address them in a timely manner. Given this and the rationale above, again this inspection needs to take place as soon as possible.
4. The VFF also needs to come before the Planning Board to discuss the two other issues which we agreed to address at the Selectboard meeting – the information that shows the 35% threshold under the "farm stand" regulations is being upheld, and the status of the events that are held at the VFF per the approvals from several years ago. Amy and Jeremiah should reach out to the Planning Board (either through Glenn or Jeff) to schedule when they will

come before the board for these matters and what materials they need to provide at that time.

Please let me know if there is anything in this email which is incorrect or not clear. I am happy to address any questions as to this content, or work with the building inspector, Planning Board Chair, Planning Board Consultant, the VFF or their legal representation to move this process forward in a timely manner.

Thank you for your consideration.

Sincerely,  
Michael Sununu  
Newfields Selectboard

---

**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
**Sent:** Wednesday, August 24, 2022 10:47 AM  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov); Jacquelyn Silvani <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; Kisha Therrien <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; Hoby Harmon <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>  
**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>  
**Subject:** RE: Building Inspection

Good Morning All,

I'll be speaking with Jeremiah today. I had a very good and productive online meeting with Glenn Greenwood yesterday, after he was attending to an unforeseen personal matter last week. We did not make a set plan with respect to inspection, but conceptually we discussed that after the site plan application was filed for the October PB meeting, the inspector would do an inspection. Glenn and I will be coordinating further as we work on the application. In any event, let's please be sure to be more coordinated on inspection moving forward as Jeremiah noted below, keeping in mind that this is an operating farm with staff, deliveries, and customers on the move at most times.

Thank you,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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---

**From:** Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>

**Sent:** Tuesday, August 23, 2022 4:56 PM

**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)

**Cc:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; Hoby Harmon <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>; Jacquelyn Silvani <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; Kisha Therrien <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov)

**Subject:** Building Inspection

Hello,

The building inspector attempted to inspect our building today without notice.

To clarify, the building inspector, Larry Shaw, is not permitted at or on Vernon Family Farm without a one week notice and written permission from myself, Nicole or our lawyer.

Is there a reason the town was unable to provide notice?

Jeremiah

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--

**JEREMIAH VERNON** | OWNER

**[Vernon Family Farm](#) + [Vernon Kitchen](#)**

301 Piscassic Road, Newfields, NH 03856

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**From:** [Amy Manzelli](#)  
**To:** ["Glenn Greenwood"](#)  
**Cc:** [Julia Nose!](#)  
**Subject:** FW: Building Inspection  
**Date:** Tuesday, September 6, 2022 5:22:21 PM  
**Attachments:** [image001.png](#)

---

Hi Glenn,

Just checking to see if you have confirmation from the Select and Planning Boards on documenting the sales threshold through a letter from the farm's accountant as we discussed?

Additionally, did you or the Planning Board Chair want to be involved in the building inspection? I think we are going to be setting up the inspection for next week, though that is not set in stone yet.

Thanks,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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---

**From:** Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>  
**Sent:** Tuesday, August 30, 2022 8:38 AM  
**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)  
**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Glenn Greenwood' <[glenngreenwood@gmail.com](mailto:glenngreenwood@gmail.com)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>  
**Subject:** RE: Building Inspection

Amy, I have forwarded this email to the other two select board members and I wanted to let you know that Larry Shaw does his inspections on Tuesday and Thursday mornings. Thank you, Sue

Sue E. McKinnon, CMC  
Newfields Town Clerk/Tax Collector  
65 Main St  
Newfields NH 03856  
603-772-5070-phone  
603-772-9004-fax  
[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)

---

**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>

**Sent:** Thursday, August 25, 2022 4:20 PM

**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)

**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>

**Subject:** RE: Building Inspection

Good Afternoon Selectboard Member Sununu,

Thank you so much for being in touch. On behalf of Vernon Family Farm, I had requested clarification when appearing at the Selectboard meeting on their behalf. We have not been provided minutes from that meeting and as was noted at that meeting, the Board's website is not up to date with minutes. So, finally having intentions in writing is very helpful and I'm grateful.

To your point about the 35% minimum requirement, we have not forgotten that. When I met with Glenn Greenwood earlier this week, we discussed a proposal for documenting that which he and I agreed made sense. We left it that he would discuss it with the Chairs of the Select and Planning Boards and then let me know if they agreed. So, that is in process. (Keep in mind too that I already confirmed on the record that VFF is in compliance with that requirement.)

To your point about events having been approved several years ago, let me clarify that a bit. The site plan approval several years ago was for the farmstand. Events are part of the agritourism which will be the primary topic of the site plan application we are underway working on right now for the October Planning Board meeting.

For the inspection, the RSA you noted does not speak to notice either way. I will coordinate with the Vernons and we will work out a mutually agreeable date and time for an inspection to occur before we file the site plan application. I will be the point of communication for the Vernons on this, but feel free to keep them copied in.

As I said at the Selectboard meeting, and it remains true now, the Vernons and I look forward to working with the Town to get this all squared away. Vernon Family Farm so values feeding the Newfields community, and we know how much the community values the farm!

(Also, I've taken the other two Selectboard members off of the email to avoid inadvertent Selectboard meetings over emails in violation of RSA 91-A, but would request that Ms. McKinnon please share this communication with them individually and/or at a duly noticed meeting.)

Regards,  
Amy

**Amy Manzelli, Esq. she/her**

Offices in Concord & Keene, NH

[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)

Phone 603.225.2585



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---

**From:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov) <[msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)>

**Sent:** Thursday, August 25, 2022 1:16 PM

**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; 'Jacquelyn Silvani' <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); 'Sue McKinnon' <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; 'Kisha Therrien' <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; 'Hoby Harmon' <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>

**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); 'Jeremiah Vernon' <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>; 'Glenn Greenwood' <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>; 'Jeff Couture' <[couture.jeff@gmail.com](mailto:couture.jeff@gmail.com)>

**Subject:** RE: Building Inspection

All:

It seems there has been some confusion and I want to attempt to clarify what the sequencing should be for this process we discussed at the last meeting of the Selectboard.

1. Larry Shaw, the building inspector for the Town of Newfields, needs to go inspect the new facility at the Vernon Family Farm. While I appreciate Jeremiah's request for advance notice, it is not required under the state statutes RSA 155-A:7 (III). Despite this I am asking that Larry and Jeremiah mutually arrange a day/time NEXT WEEK for the inspection. As this facility is still being used by the public, it remains a public health and safety matter that needs to be addressed as soon as possible. Waiting until October for an inspection is not an acceptable delay in my opinion, nor should the Town abide by a demand for a written request to inspect which is not required (nor requested when we spoke of the matter at the Selectboard meeting). The Town has been willing to work with the VFF on this matter, but given the issues discussed at the last meeting we do not feel that delaying this process is warranted.
2. The building inspector will provide the Selectboard and the Planning Board a report on what he finds at the site.
3. The site review by the Planning Board should take place during the October Planning Board meeting, as per Amy's email (I have cc'ed the chairman and the consultant on this email as well) Having the inspection before that meeting (not after) is important to provide the Planning Board with the information as to the state of the facility and what issues may/may not need to be addressed. Putting the inspection off until after the Planning Board meeting in October seems counterintuitive to the Town bodies understanding what public safety and/or health issues may exist and allowing them to address them in a timely manner. Given this and the rationale above, again this inspection needs to take place as soon as possible.
4. The VFF also needs to come before the Planning Board to discuss the two other issues which we agreed to address at the Selectboard meeting – the information that shows the 35%

threshold under the “farm stand” regulations is being upheld, and the status of the events that are held at the VFF per the approvals from several years ago. Amy and Jeremiah should reach out to the Planning Board (either through Glenn or Jeff) to schedule when they will come before the board for these matters and what materials they need to provide at that time.

Please let me know if there is anything in this email which is incorrect or not clear. I am happy to address any questions as to this content, or work with the building inspector, Planning Board Chair, Planning Board Consultant, the VFF or their legal representation to move this process forward in a timely manner.

Thank you for your consideration.

Sincerely,  
Michael Sununu  
Newfields Selectboard

---

**From:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
**Sent:** Wednesday, August 24, 2022 10:47 AM  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov); Jacquelyn Silvani <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov); Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; Kisha Therrien <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; Hoby Harmon <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>  
**Cc:** [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>  
**Subject:** RE: Building Inspection

Good Morning All,

I'll be speaking with Jeremiah today. I had a very good and productive online meeting with Glenn Greenwood yesterday, after he was attending to an unforeseen personal matter last week. We did not make a set plan with respect to inspection, but conceptually we discussed that after the site plan application was filed for the October PB meeting, the inspector would do an inspection. Glenn and I will be coordinating further as we work on the application. In any event, let's please be sure to be more coordinated on inspection moving forward as Jeremiah noted below, keeping in mind that this is an operating farm with staff, deliveries, and customers on the move at most times.

Thank you,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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**From:** Jeremiah Vernon <[jeremiah@vernonfamilyfarm.com](mailto:jeremiah@vernonfamilyfarm.com)>  
**Sent:** Tuesday, August 23, 2022 4:56 PM  
**To:** [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov)  
**Cc:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>; Hoby Harmon <[hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov)>; Jacquelyn Silvani <[jsilvani@newfieldsnh.gov](mailto:jsilvani@newfieldsnh.gov)>; Kisha Therrien <[ktherrien@newfieldsnh.gov](mailto:ktherrien@newfieldsnh.gov)>; [Nicole@vernonfamilyfarm.com](mailto:Nicole@vernonfamilyfarm.com); Sue McKinnon <[suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)>; [info@vernonfamilyfarm.com](mailto:info@vernonfamilyfarm.com); [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov)  
**Subject:** Building Inspection

Hello,

The building inspector attempted to inspect our building today without notice.

To clarify, the building inspector, Larry Shaw, is not permitted at or on Vernon Family Farm without a one week notice and written permission from myself, Nicole or our lawyer.

Is there a reason the town was unable to provide notice?

Jeremiah

--  
--

**JEREMIAH VERNON** | OWNER  
**[Vernon Family Farm](#) + [Vernon Kitchen](#)**  
301 Piscassic Road, Newfields, NH 03856

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**From:** [Amy Manzelli](mailto:Amy.Manzelli@nhlandlaw.com)  
**To:** ["larry@newfieldsnh.gov"](mailto:larry@newfieldsnh.gov)  
**Cc:** [Julia Nosel](mailto:Julia.Nosel@nhlandlaw.com)  
**Subject:** RE: Inspection at Vernon Family Farm  
**Date:** Friday, September 9, 2022 10:17:30 AM

---

Terrific. Have a great weekend and we'll see you then.

Amy Manzelli, Esq. she/her  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585

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-----Original Message-----

From: [larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov) <[larry@newfieldsnh.gov](mailto:larry@newfieldsnh.gov)>  
Sent: Friday, September 9, 2022 10:09 AM  
To: Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
Cc: Julia Nosel <[nosel@nhlandlaw.com](mailto:nosel@nhlandlaw.com)>  
Subject: Re: Inspection at Vernon Family Farm

Ms. Manzelli, Tuesday September 13, 2022 at 9:00am is fine. It could be helpful to have the builder on site during the inspection. Thank you, Larry Shaw

Quoting Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>:

> Good Afternoon Mr. Shaw,  
>  
> Following up on a message I just left with Kisha at Town Hall.  
> Please give me a call (6034969590) or email me back to firm up  
> arrangements for your inspection of Vernon Family Farm's new  
> structure.  
>  
> We thought it would be helpful to have the builder present to answer  
> any questions you may have and, possibly, to resolve any issues you  
> might identify right there in real time. The builder is Doug Gaines  
> from Greyson Contracting. Doug can be there at 9 on Tuesday morning.  
>  
> Alternatively, we could also do it on Monday anytime between 9 and  
> noon (but Doug is not available).  
>  
> Thank you,  
> Amy  
>  
> Amy Manzelli, Esq. she/her  
> Offices in Concord & Keene, NH  
> [manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)<<mailto:manzelli@nhlandlaw.com>>  
> Phone 603.225.2585  
> [bcm-logo-color-web-small]<<http://www.nhlandlaw.com>>  
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> manzelli@nhlandlaw.com<<mailto:manteau@nhlandlaw.com>> immediately.

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**From:** [Amy Manzelli](#)  
**To:** "Glenn Greenwood"  
**Subject:** RE: Vernon Family Farm  
**Date:** Friday, September 9, 2022 1:16:11 PM  
**Attachments:** [image001.png](#)

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Thanks Glenn. Please feel free to call me Amy. Also, reminder I'm mostly remote so my mobile will get you to me directly: 6064969590. (The number in my signature block will go to my desk phone voicemail at my office.)

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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**From:** Glenn Greenwood <[glennkgreenwood@gmail.com](mailto:glennkgreenwood@gmail.com)>  
**Sent:** Friday, September 9, 2022 12:44 PM  
**To:** Amy Manzelli <[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)>  
**Subject:** Vernon Family Farm

Good Afternoon. Attorney Manzelli:

I have had the opportunity to speak with the Planning Board regarding the question as to the best manner for the Vernon Family to provide information that verifies the farmstand complies with state law in remaining an agricultural operation and not being considered commercial.

A statement from the Vernon's accountant indicating that at least 35 percent of the product sales in dollar volume is attributable to products produced on the farm is appropriate. This statement must clarify that this dollar volume does not include dollar volumes generated by restaurant income or income generated by other activities on-going at the farm. These other income streams must be segregated from the income generated by the farmstand. The Planning Board would also find it helpful to have the accountant generating this report available to answer questions the Planning Board may have after receiving the information.

I'll give you a call this afternoon to discuss this further with you.

Regards

Glenn Greenwood  
Newfields Town Planner

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**From:** [Amy Manzelli](#)  
**To:** [Glenn Greenwood](#)  
**Cc:** [Julia Nose](#)  
**Subject:** Draft VFF Site Plan  
**Date:** Monday, September 12, 2022 8:44:13 AM  
**Attachments:** [image001.png](#)  
[2022-09-11 Vernon Family Farm Site Plan Descriptors.pdf](#)  
[2022-09-11 Vernon Family Farm Site Plan Close Up.pdf](#)  
[2022-09-11 Site Plan Application - Agritourism.pdf](#)  
[2022-09-11 Vernon Family Farm Site Plan.pdf](#)

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Good Morning Glenn,

As discussed, please find attached a rough draft of the Vernon Family Farm site plan application for agritourism for your review and input back to me.

Specifically, I've included the following:

1. Letter on BCM letterhead which addresses the bulk of the substance and identifies the requested waivers as we decided would be helpful;
2. Two site plans: one that depicts the entire property, and another that is a close up of the area where the agritourism is concentrated; and
3. Descriptors that go along with the site plans. I welcome your guidance on whether you think it will be easiest to keep these descriptors separate, as I am giving them to you, or, whether you think we should add the descriptors directly to the site plans. I'm a bit worried that if we put all of the descriptors onto the site plans, the site plans will become too cluttered and therefore too difficult to review. So, please share your thoughts on that.

I think we've done a good job putting this together. But, as we talked about, it would be great to hear your thoughts on how we can make this submission as best as it can be. We welcome any and all input you may have on this, especially any information you think is lacking that we should add in, details the Planning Board might want, etc.

Could we please schedule time on Thursday this week or Monday next week to discuss? Will that give you enough time to have reviewed and considered?

Thank you!

Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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**From:** [Amy Manzelli](#)  
**To:** [Glenn Greenwood](#)  
**Cc:** "[msununu@newfieldsnh.gov](#)"; "[isilvani@newfieldsnh.gov](#)"; "[Hoby Harmon](#)"; "[Sue McKinnon](#)"; [Julia Nose](#)  
**Subject:** Vernon Family Farm - 35% Sales Compliance Letter  
**Date:** Wednesday, September 14, 2022 10:50:10 AM  
**Attachments:** [image001.png](#)  
[2022-09-14 Vernon Family Farm Accountant Letter to Planning Board Re 35 Percent Compliance.pdf](#)

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Good Morning Glenn,

Please see attached, as discussed, the letter from Vernon Family Farm's accounting firm, Cohos Advisors, by Samantha Young, CPA. As you'll see, this documents and confirms the Farm's compliance with their July 15, 2015 Planning Board Site Plan Approval to be in compliance with the definition of farm roadside stand contained in RSA 21:34-a, III.

I admit I'm a bit unsure to whom to direct this to given that compliance falls to selectboards by NH law, but I sense that in this case the planning board is more involved. So, to cover all bases, I have copied the Newfields Selectboard members and am directing this email to you so you can get it to the Newfields Planning Board. That way everyone will have it, and no one will want for the confirmation.

Regards,  
Amy

**Amy Manzelli, Esq. she/her**  
Offices in Concord & Keene, NH  
[manzelli@nhlandlaw.com](mailto:manzelli@nhlandlaw.com)  
Phone 603.225.2585



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September 14, 2022

Town of Newfields, New Hampshire  
Attn: Planning Board  
65 Main Street  
Newfields, NH 03856

Dear Board Members,

Having been provided with financial information regarding the sales activity of Vernon Family Farm's farm stand, I have conducted an analysis of the various products sold at the stand in order to determine their compliance with RSA 21:34-a (III).

Products sold at the stand include both items grown and produced by Vernon Family Farm, as well as numerous products purchased from suppliers and vendors. Items produced by Vernon Family Farm include chicken, value-added products (i.e. chicken pot pie, bone broth, soup, etc.), beef and garlic. Non-Farm products include pork, seafood, and several vegetables.

After conducting my analysis and inquiries regarding the sales activity of the stand for the period January 1 through September 10, 2022, I have determined that 41.72% of total sales from the farm stand consist of Vernon Family Farm-grown products. Therefore, the Farm is in accordance with RSA 21:34-a (III) which states "at least 35% of the product sales in dollar volume is attributable to products produced on the farm or farms of the stand owner".

Sincerely,

A handwritten signature in black ink that reads 'Samantha C.G. Young'. The signature is written in a cursive style with a large, sweeping flourish at the end.

Samantha C.G. Young, CPA