

**SWANZEY PLANNING BOARD MINUTES
NOVEMBER 11, 2010**

Note: Minutes are not final until reviewed and approved by the Board. Review and approval of minutes generally takes place at the next regularly scheduled meeting of the Board.

The regular meeting of the Swanzey Planning Board was called to order at 7:00 p.m. by Chair Glenn Page. Members present: Glenn Page, Scott Self, June Fuerderer, Joe Smith, Jeff Goller, Jeanne Thieme, Selectmen's Representative Bruce Tatro. Town Planner Sara Carbonneau was also present. The agenda for the evening's meeting was read and the following matters were addressed:

Regional Impact: Board members considered whether any items on the agenda could "reasonably be construed as having the potential for regional impact." Motion by Fuerderer that no items on the agenda could reasonably be construed as having the potential for regional impact. Seconded by Self. Vote: All in favor.

A. PUBLIC HEARINGS –

1. Multi-Tenant Application – Mike Primus wishes to use a portion of the premises situated at 679 West Swanzey Road for a U-Haul business. The property is shown at Tax Map 73, Lot 13 situated in the Business District. The property is owned by Scott & Jay MacPhail.

a. Free-standing Sign Application – Primus also wishes to install a free-standing sign consisting of 8 s.f. advertising the U-Haul business.

Mike Primus appeared before the Board. No abutters were present. Public hearing opened.

Goller asked if the existing sign standards would be used. Primus informed the Board yes. Motion by Self to approve Multi-Tenant Application to operate a U-Hall business at Tax Map 73, Lot 13 and Free-standing Sign Application subject to review and approval by Fire Chief and Code Enforcement Officer. Seconded by Thieme. Vote: All in favor. Primus also asked if he could expand the outdoor display area from 8' to 10'. Motion by Self to amend former

modification of site plan from 8' to 10' for the outside display area. Seconded by Goller. Vote: All in favor.

DISCUSSIONS/OTHER BUSINESS –

1. Excavation Permit – Renewal/change of name on excavation permit for Tax Map 86, Lot 1 (Mitchell Sand & Gravel, LLC). Rob Hitchcock of SVE Associates appeared on behalf of Mitchell Sand and Gravel, LLC. Hitchcock informed the Board that per their request at the October 28, 2010 meeting relative to obtaining seismic reports from Key Drilling and Blasting (that did much of the blasting for the former owner), Tom Key declined to give any information as he didn't want to get involved. Page informed the Board that he had gone to the Mitchell pit today and was near the crusher. It was very noisy in the pit/hole. When he went out to Rte. 10 the noise was 80% less than near the pit. At Clearwater he heard very little noise from the pit and traffic noise. Sandy Road in Westport Village he heard the river. On Depot Rd. he heard the river. Around the corner he heard the traffic on Rte. 10. Page stated that there is a screening plant near there (located across the river from Westport Village) but that it was not operating that day. Bruce Willard (owner of the property upon which the screening plant is located) noted that the screening plant has not been operated in months. Page stated that the Board has no legal reason not to grant the 5 year permit. Self noted that the permit does put any limitations on blasting. Self stated that there has been no violation of the permit and they are required to stay within the State limits when blasting. Motion by Goller to approve Excavation Permit for 5 years. Seconded by Self. Vote: All in favor.

2. Informational presentation by Maine Drilling & Blasting re: Tax Map 86, Lot 1 (Mitchell Sand & Gravel, LLC). Tatro recused himself from this portion of the meeting. Kevin Parsons, Esq. introduced himself to the Board and that he was there on behalf of Mitchell. Parsons introduced Joe Taber of Maine Drilling & Blasting whom Mitchell hired. Taber stated that they had done 3 blasts since they started. They are developing a plan for structuring the faces to minimize the noise. They need to consistently work at it. Page asked what the State allowed for seismic noise levels. Taber stated 2" per second of ground vibration is the limit, but they also try to follow the U.S. Bureau of Mines standard which is more stringent. The air blast is 132 decibels, which they try to keep down because it is more perceptible to people. Taber explained how vibration and sound travels. Taber noted that ground vibration travels faster. Taber stated that a blast lasts 1/2 – 3/4 of a second. Beverly Burke, a concerned citizen of Westport, asked who regulates these levels. Taber informed her that it is regulated by the NH Dept. of Safety. Taber further went on to state that they could set up seismographs at some of the homes. Self asked Taber if he could explain why last week's blast was louder than other blasts. Taber responded that there were more holes because they are trying to

straighten the line. Self asked if there would be subsequent blasts. Taber replied yes. Fuerderer asked if they could anticipate how many more blasts are needed. Hitchcock replied that it is driven by the market for aggregate. Parsons asked what Maine Drilling & Blasting is doing to try to become more efficient. Taber stated that if they can place the holes evenly apart, this creates a larger blast, but this will produce more fragments in a size that will not require the use of the jackhammer. Fuerderer asked if they knew what the life span of this site would be. Mitchell replied 40+/- years but that it is market driven. Clyde Keene of Westport Village informed Taber that there is a dam near his house that was built on ledge and was wondering if that was connected to the quarry which would make the vibrations travel. Taber replied that he couldn't be sure, noting that he is not a geologist. Carol Keene asked if there was any system in place to warn the people when they are going to blast. Parsons informed her that a 24 hour notice will be given to the Town.

3. Zoning.

a. Discussion with Jim Phippard (Brickstone Land Use Consultants re: rezoning of Tax Map 18, Lot 185. Phippard appeared before the Board on behalf of SS Baker Realty, LLC which has purchased Lot 185 and are asking to extend the Business District to include Lot 185 as their intentions are to reconfigure their exiting drive thru lane to provide additional stacking on site and avoid cars from stacking on Park St. The existing house is being moved. Maybe later on they would wish to construct a small building. Tatro asked if there were any plans for a future building. Phippard replied that there was not. Carbonneau informed Phippard of the State's intent to install and traffic light or a roundabout at the intersection of Lake St., Route 12 and Swanzey Factory Rd. Carbonneau referred the Board to the proposed zoning amendments, in particular Amendment No. 3 which proposes that "The Zoning map of the Town of Swanzey dated September 1, 1947, as amended, is further amended to show Tax Map 18 Lot 185 (as shown on tax map 18 amended through April 1, 2010) as being in the Business District. Motion by Self to bring proposed Amendment No. 3 to public hearing on December 9, 2010. Seconded by Thieme. Vote: All in favor.

b. Creation of Village Business District II - Board members discussed the creation of Village Business District II, encompassing the property owned by Homestead Woolen Mills between South Winchester Street and the Ashuelot River (Tax Map 72, Lot 31). Motion by Self to bring proposed Amendment No. 1 to public hearing on December 9, 2010. Seconded by Thieme. Vote: All in favor.

c. Re-zoning of Tax Map 56, Lot 3 and Tax Map 56, Lot 4 from

Rural/Agricultural to Business District. Carbonneau referred the Board to Amendment No. 2 which proposes that "The zoning map of the Town of Swanzey dated September 1, 1947, as amended, is further amended to show Tax Map 56, Lot 3 and Tax Map 56, Lot 4 (as shown on tax map 56 amended through April 1, 2009) as being in the Business District." Motion by Self to bring proposed Amendment No. 2 to public hearing on December 9, 2010. Seconded by Smith. Vote: All in favor.

Carbonneau informed the Board that she felt they weren't ready to include the previously discussed the agricultural zoning amendments on the Town Warrant this year and suggested it be deferred to next year. Page agreed they should defer this.

4. Request for Modification to Previously Approved Multi-Tenant

Application – Thomas Roth on behalf of Hillside Pizza wishes to modify the multi-tenant application granted on September 9, 2010. Specifically, the applicant wishes to construct a deck over the existing concrete patio (apron) in front of the building together with other site improvements. The property is situated at 471 Old Homestead Highway, Tax Map 34, Lot 32 situated in the Business District. The property is owned by the City of Keene. Self noted that installation of the desired fence and landscaping should be addressed with NH-DOT District IV, as it may be located within the right of way. Carbonneau noted that Roth did not raise the issue of entertainment at the restaurant in this letter. However, Board members reiterated that entertainment was considered typical in a restaurant setting. Motion by Self to approve Modification to site plan to allow a deck to be built for tables and chairs. Seconded by Fuerderer. Vote: All in favor.

5. Other business as may be required.

Review and approval of minutes of October 28, 2010. Carbonneau suggested this be deferred to the December 9, 2010 meeting as the Board had just received them and didn't have a chance to review them.

Page asked Tatro if Winchester had approved the special exception for the asphalt plant in Winchester. Tatro stated the Special Exception was granted and now needed the approval of the Winchester Planning Board.

Carbonneau informed the Board that Snedeker has given out his cell phone number for anyone that wishes to contact him with concerns regarding the gravel pit operation.

Carbonneau also informed the Board of links on the Town's website to the Dept. of Transportation's website regarding the round about/traffic light. There is also a link to the Power Point presentation.

Motion by Tatro to adjourn. Seconded by Fuerderer. Vote: All in favor.

Meeting adjourned at 8:15 p.m.

Submitted by,

Donna Munson
Recording Secretary