

**SWANZEY ZONING BOARD OF ADJUSTMENT MINUTES
FEBRUARY 12, 2007**

[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 Zoning Board of Adjustment was called to order at 7:00 p.m. by Chair Bill Hutwelker. Members present: Bill Hutwelker, Bob Mitchell, Jenn Gregory and alternate Marty Geheran. Geheran was seated for Charles Beauregard, Sr. Bryan Rudgers was also seated after he was appointed as an alternate member of the Board. Town Planner Sara Carbonneau was also present. The agenda for the evening's meeting was read and the following items were addressed:

1. Appointment of Alternate Member. Carbonneau stated the Bryan Rudgers name has been submitted for consideration as an alternate member; term to expire at Town Meeting 2009. Motion by Geheran to appoint Rudgers as an alternate member of the ZBA, with his term to expire at Town Meeting 2009. Seconded by Mitchell. Vote: All in favor.

Rudgers assumed his seat at the table. Rudgers was seated for Keith Thibault.

2. Public Hearing (Special Exception Application) – RDH Property Management requests a special exception from Section V.B.2.c. to permit the conversion of the existing structure on property situated at 704 West SwanzeY Road to a two-family dwelling. The property is shown at Tax Map 72, Lot 85, situated in the Business Zoning District. Dawn Amer appeared before the Board on behalf of the Applicant. No abutters were present. Public hearing opened.

Amer stated that they would like to convert the former R&L Auto to an apartment. Currently, there is already an apartment in the building, as well as Martin Flooring. Amer stated that the footprint of the building would not be changed and that only renovations to the existing building would occur.

The property is served by public sewer and the West SwanzeY Water Company water supply.

Amer stated that they would like to fence off/separate the residential use on the property from the business use. Amer stated that

they would like to use both curb cuts on West Street for the two apartments. Carbonneau asked if they have received permission from DPW Director Lee Dunham to do so; Carbonneau noted that during a recent application to the Planning Board for Martin Flooring, Dunham required that the curb cut on West Street (closest to Route 10) be closed. Board members stated that Amer needs to get written permission from Dunham to utilize the 2nd West Street driveway. If Dunham grants permission, the 2nd driveway needs to be shown on the plan. Board members felt that they could not make a decision on this matter without knowing the status of the 2nd driveway.

Board members also felt that a site visit would be prudent, but felt that individual “drive-by” site visits would be sufficient.

Motion by Mitchell to continue the public hearing on this matter to March 19, 2007 at 7:00 p.m. Seconded by Gregory. Vote: All in favor.

3. Public Hearing (Special Exception Application) – Ideal

Consolidated Services, Inc. requests a special exception from Section IV.B.2.a. to permit the construction of multi-family housing (6 buildings, each having 2 living units therein) on property situated off Eaton Road. The property is shown at Tax Map 41, Lots 9-2 and 9-3 situated in the Residence Zoning District. The property is owned by the Jeannette Rondeau Living Trust. Rob Hitchcock from SVE Associates appeared before the Board on behalf of the applicant. Numerous abutters were present. Public hearing opened.

Hitchcock reviewed the site plan, noting that 6 structures are being proposed, each having two condominium living units therein. Each unit will be approximately 1,500 s.f. These will be market rate homes in the range of \$200,000.00 each. Each unit will have a garage and two to three parking spaces available outside. The closest set of units will be set back approximately 90 feet back from the edge of pavement on Eaton Road. The back edge of the project (buildings) will be approximately 400 feet back from Eaton Road; the wells may be set further back on the property.

Hitchcock stated that the development will be served by two wells, avoiding the need to establish a community water supply.

The property consists of approximately 19 acres; Hitchcock stated that the developed area (excluding the wells) would be approximately 2 acres. John Wood and Greg B. Johnson from Ideal stated that they would like to convey the excess land to the Town to be placed in a conservation easement.

Hitchcock provided architectural drawings, including floor plans, to the Board. It was noted that each unit will have two bedrooms. Color photos from a project completed in Amherst, New Hampshire were provided with Wood noting that these will be the types of units to be constructed. Hitchcock stated that it was his opinion that the applicant would not be bound under the special exception to construct the units as

shown. Wood stated that he would commit to building the units as shown on the floor plans, as they have already purchased the plans.

Abutting property owners expressed concern about the amount of water that comes off the hill and the impact that additional impervious surfaces would have on the drainage. Abutting property owner Roger Carrier noted that there are substantial existing water problems in the area. Abutting property owners (the Fullers) expressed concern about the possible impact on their well, septic system and water in their basement; noting that whenever work (including logging and the housing development) was done behind them, that their property experiences problems of some sort. Carbonneau asked if the applicant would need to obtain Site Specific approval (Alteration of Terrain Permit) from the State. Hitchcock stated that he was not sure at this time; it would depend upon if more than 100,000 s.f. is disturbed.

Board members asked Hitchcock how many developable acres were on this property (total acreage less steep slopes and wetlands). Hitchcock stated that he did not know, but would obtain this information for the Board.

Abutting property owner Dawn Phippard stated that she felt that that 12 dwelling units situated on an area of approximately 2 acres was not similar to anything in the immediate area.

Hitchcock stated that SVE Associates has not surveyed the property or delineated wetlands, thereon. Hitchcock stated that he did not believe that there were any significant wetlands on the property. Hitchcock noted that test pits had been done by Landmark Development, but that his firm would also be digging test pits. Board members informed Hitchcock that, at the very minimum, a letter from a licensed septic designer must be provided stating that a septic system that meets all state and local requirements can be constructed on site.

Carrier stated that he was also concerned about the impact on traffic on Eaton Road. Carrier noted that there was already an existing problem with traffic speed. Hitchcock stated that the speed on Eaton Road was an enforcement issue. Another abutter stated that DPW Director Dunham has expressed concern to him regarding the proposed location of the driveway to serve the development (as it is located directly across from Old Eaton Road).

Board members stated that they would like to conduct a site visit on the property and determined that it would occur on March 17, 2007 at 9:00 a.m. Hitchcock was requested to have the corners of the buildings staked, the center point of the cul-de-sac, as well as the driveway in a few locations. It was noted that the public is invited to participate in the site walk.

Board members also stated that they would like input regarding this development from the Police Chief, the Fire Chief and the DPW Director. Hitchcock stated that he would contact them for input.

Motion by Mitchell to conduct a site visit on Saturday, March 17, 2007 at 9:00 a.m. Seconded by Gregory. Vote: All in favor. It was noted that subsequent to the site visit, the Board would be considering this matter further at its next regularly scheduled meeting on March 19, 2007 at 7:00 p.m.

4. Minutes – Motion by Mitchell to approve the minutes from October 9, 2006 as submitted. Seconded by Rudgers. Vote: All in favor with Geheran abstaining from the vote:

Motion by Gregory to approve the minutes from November 20, 2006 as submitted. Seconded by Mitchell. Vote: All in favor with Geheran abstaining from the vote.

Motion by Mitchell to adjourn. Seconded by Geheran. Vote: All in favor. Meeting adjourned at 8:15 p.m.

Submitted by,

Sara H. Carbonneau
Town Planner