

**SWANZEY PLANNING BOARD MINUTES  
MAY 1, 2008**

**[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 Swanze Planning Board was called to order at 7:00 p.m. by Chair Glenn Page. Members present: Glenn Page, Scott Self, June Fuerderer, Victoria Barlow, Charles Beauregard, Sr. (arriving at 7:10 p.m.), Selectmen's Representative Nancy Carlson and alternate David Belletete. Belletete was seated for Steve Russell. 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 –** David Mason wishes to use a portion of the premises situated at 209 Monadnock Highway for a business consisting of automotive repair. The property is shown at Tax Map 19, Lot 65 situated in the Business Zoning District. The property is owned by John & Lisa St. Peter. Page steps down from the table due to a possible conflict of interest. Self assumes the position of Chair. David Mason appeared before the Board. Public hearing opened.

Mason stated that he wished to operate an automotive repair business (to include a State inspection station). Hours of operation will be 7:30 a.m. to 6 p.m. Monday through Friday and 8 a.m. to noon on Saturdays. There will be 2 full time and 2 part time employees. It is estimated that there will be between 6 to 10 customers per day. Deliveries via UPS, Sanels, Auto Zone, etc. will be between 5 to 10 deliveries per day. Mason stated that there would be no outside parts vehicles or parts storage. Public hearing closed.

Motion by Barlow to grant the multi-tenant application subject to review and approval by the Fire Inspector and the Code Enforcement Officer. Seconded by Belletete. Vote: All in favor.

Beauregard arrives at 7:10 p.m. Page resumes his seat as Chair.

**2. Multi-Tenant Application** – Meredith Hurt wishes to use a portion of the premises situated at 67 California Street for a business consisting of the commercial processing of sawdust. The property is shown at Tax Map 73, Lot 24 situated in the Commercial/Industrial and Rural/Agricultural Zoning District. The property is owned by Thomas Chabot. This application seeks to modify the previously approved multi-tenant application by permitting hours of operation from 8 a.m. to 5:30 p.m. Monday thru Friday. Meredith and Jeff Hurt appeared before the Board. Public hearing opened.

Page stated that abutting property owner Mike Pratt withdrew his objection to the sawdust operation and canceled the site visit that had been scheduled for April 19<sup>th</sup>. Page noted that no other abutters had voiced any objection to the operation of the business.

Barlow stated that at the last meeting Attorney Hoppock stated that the Board had the responsibility of determining whether or not the noise was excessive. Page stated that he had viewed the site and listened to the operation of the machine from a few different locations and did not feel that the noise was excessive. Barlow also stated that she did not feel that the noise was excessive, but noted that she had not listened to the machine operating from Pratt's property line.

Barlow stated that she understood that box storage trailers had been moved between the machine and Pratt's property. Hurt noted that location of the box storage trailers on the plan. Barlow inquired if the placement of the trailers may have reduced the noise level at the Pratt's property. J. Hurt stated that he did not know for sure. J. Hurt stated that they lifted the jack and insulated it with tires, which may have reduced the noise levels/vibrations. Public hearing closed.

Motion by Barlow to grant the multi-tenant application allowing for hours of operation from 8 a.m. to 5:30 p.m. Monday through Friday, subject to the condition that the box storage trailers remain in the same position unless a better means of reducing noise levels is available. Seconded by Self. Vote: All in favor.

### **3. Application to Modify a Previously Approved Subdivision**

submitted by Broadvest Properties, Inc. The applicant wishes to reduce the number of lots in the approved subdivision from 18 lots to 7 lots. The property is located off Arrowcrest Drive and shown at Tax Map 20, Lot 153 situated in the Business Zoning District. Randy Bragdon from Souhegan Valley Engineering and Shane Lampinen appeared before the

Board on behalf of the applicant. Interested citizens were present. Public hearing opened.

Page stated that an outstanding issue from the April 17<sup>th</sup> meeting was that of Pleasant Road and the citizens' petition opposing the construction of this road. Page stated that the Board received letters from the Fire Chief and Fire Inspector both voicing support for the construction of Pleasant Road. Selectman Carlson stated that the Board of Selectmen queried department heads and determined that Pleasant Road should be constructed noting public safety and road maintenance concerns. DPW Director Dunham was present and noted that the Town had the foresight in the early-1970s to plan for future connections. Town Planner Carbonneau provided the Board with a map of the Marcy Hill area and noted that should something happen on Marcy Hill Road just west of Hutch Street that there are 147 lots that have no other way out. Interested citizens Margaret Field and a gentleman who stated that he resides at 26 Arrowcrest Drive stated that they felt that the construction of Pleasant Road would diminish their property values, their quality of life and be a safety hazard. Suggestions for a gated road were addressed (via e-mail correspondence from Paul Westland), with Fire Inspector Fontaine stating that gates inhibit emergency response time. In addition, suggestions for a one-way road were dismissed, noting that there would be possible enforcement issues.

Bragdon reviewed those outstanding items raised at the April 17<sup>th</sup> meeting relating to the plans, noting that those items have been shown on the plans as requested.

Fire Inspector Fontaine questioned the sizing of the fire pond. Bragdon did not have the gallonage-capacity of the pond with him, but noted that it was sized in accordance with the requirements provided by the former fire chief.

Carbonneau reviewed items which she felt that should be included in the event that the application is approved. Carbonneau also noted that State subdivision, site specific and wetlands permits have been obtained.

Carbonneau stated that she had spoken with DPW Director Dunham and with Underwood Engineers regarding bonding amounts. Carbonneau noted that Lampinen had provided two estimates for construction (to include road construction, associated drainage and the fire pond) – these estimates were for \$223,840. and \$241,085. Carbonneau stated that she and Dunham propose \$275,000. for a bond amount. Beauregard felt with rapidly rising construction costs, the bonding amount should be set at \$300,000. Page stated that he felt that \$275,000. was appropriate based on the construction costs provided, together with the fact that should construction not commence prior to January 1, 2009 that the applicant would need to come back to establish a new bonding amount (as suggested by Carbonneau). Public hearing closed.

Motion by Self to grant the subdivision approval subject to the following conditions:

1. Subject to review and approval of easement and roadway deeds by Town Counsel, said easement deed to also address sheet easements over lots 20/153-8, 20/153-7 and 20/153-6.

2. Subject to applicant tendering a security agreement in the amount of \$275,000.00 to be reviewed and approved by the Board of Selectmen and Town Counsel. The security agreement shall cover the costs of roadway construction, associated drainage and the construction of the fire pond. The amount of \$275,000.00 is contingent upon construction commencing on or before January 1, 2009. It is anticipated that construction will commence on or before August 4, 2008, with completion scheduled for October 31, 2008, with the exception of the top coat of pavement. It is understood that the top coat of pavement shall be laid after the base coat has wintered-over and the top coat shall be laid by June 1, 2009. The Board of Selectmen shall be authorized to fully or partially release any amounts held under the security agreement at the Board of Selectmen's discretion. A percentage of the security agreement amount may be retained by the Town until June 1, 2011 to insure that roads and all drainage facilities are functioning properly.

Should construction not commence prior to January 1, 2009, then the applicant must submit new construction estimates to the Planning Board for review and approval. Said review and approval of revised bonding amounts shall take place at a duly noticed public hearing.

3. Subject to the condition that the fire pond be constructed and approved for operation by the Fire Chief prior to the issuance of any building permits.

4. Subject to the condition that no construction vehicles (for the construction of Arrowcrest Drive extension or Pleasant Road) shall access the area via Marcy Hill, Hutch Street or Morningside Lane without prior permission from the DPW Director.

5. Subject to the condition that construction monitoring is to be conducted by Underwood Engineers, Inc. in accordance with the proposed construction engineering agreement dated April 30, 2008, with the cost of the same being paid by the Applicant.

6. In addition to the aforescribed conditions of approval, this approval is issued in reliance on all statements and representations made by the applicant. The Planning Board's approval of this subdivision plan may be withdrawn or revoked if any such statements or representations are materially incorrect.  
Seconded by Barlow. Vote: All in favor.

## **B. OTHER BUSINESS/DISCUSSIONS –**

**1. Minutes from April 17, 2008.** Frank Underwood was present to discuss proposed changes to the April 17, 2008 minutes. Since the

proposed changes relate to property owned by Page's wife, Page steps down from the table and Self assumes the position of Chair.

Underwood stated that he would like Page 4, Paragraph 3 to read as follows:

"F. Underwood clarified why he asked if a hydro geologist be retained as the soils in the area are excessively drained. Hitchcock reminded the Board that a Site Specific permit would need to be obtained from the State that would address drainage issues. F. Underwood asked if the Site Specific permit has been submitted. R. Hitchcock stated that it should be submitted next week." Board members concurred with these changes.

Underwood stated that he would like Page 4, Paragraph 4 to be changed as follows: before the statement 'Public hearing closed,' add the following: "F. Underwood stated that he was not here to debate the engineering since anything can be designed. F. Underwood has a meeting on April 18<sup>th</sup> with Rene Fish at NH-DOT District 4 regarding the 30' right of way and its proximity to the SCS/Page access. Underwood stated that some thought should be given to minimizing the number of curb cuts. Underwood asked that the easement language add in the heirs of FG Underwood and the easement allow for the rear lots to tie in at a point opposite to the SCS drive." Board members agreed to adding in the changes proposed by Underwood but also wanted the following added: "Self stated that off premises issues, such as the 30 foot right of way and the fact that there is a landlocked parcel that already exists are not issues before the Board. Board members concurred." Motion by Carlson to approve the minutes as amended. Seconded by Fuerderer. Vote: All in favor with Beaugard abstaining.

Motion by Beaugard to adjourn. Seconded by Fuerderer. Vote: All in favor. Meeting adjourned at 8:00 p.m.

Submitted by,

Sara H. Carbonneau  
Town Planner