

**SWANZEY PLANNING BOARD MINUTES
JUNE 18, 2009**

[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 regularly scheduled 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, Steve Russell, Selectmen's Representative Nancy Carlson and alternates Jeanne Thieme and Jerry Mazza. Mazza was seated for Jeff Goller; Thieme was seated for Victoria Barlow. Town Planner Sara Carbonneau was also present. The agenda for the evening's meeting was read and the following matters were addressed:

Regional Impact: There were no new items on tonight's agenda. Therefore, a determination of regional impact was not required.

A. PUBLIC HEARINGS –

1. Site Plan Review Application – John & Nicole Willette wish to convert the existing structure situated at 87 Old Homestead Highway to a multi-family dwelling (3 dwelling units). The property is shown at Tax Map 37, Lot 13 situated in the Business Zoning District. John & Nicole Willette appeared before the Board. No abutters were present. Public hearing opened.

J. Willette stated that there have been no changes to the plan since the June 4, 2009 meeting. Board members had no further questions for the applicants. Public hearing closed.

Motion by Self to grant the site plan review application subject to review and approval by Code Enforcement and the Fire Department. Seconded by Thieme. Vote: All in favor.

2. Boundary Line Adjustment & Subdivision Application – Thomas W. Flavin, Jr., agent on behalf of South Branch Group, wishes to subdivide Tax Map 24, Lot 58 into 2 lots. After a proposed boundary line adjustment described below and after the proposed subdivision, the lots will be 6.91 acres and 19.25 acres. Tax Map 24, Lot 58 is owned by South Branch Group. In addition, an application for boundary line

adjustment between Tax Map 24, Lot 58 & 58-1 is sought. Tax Map 24, Lot 58-1 is owned by John A. & Janeth L. Blake. The subject premises are located on South Road and situated in the Residence District. Tom Flavin (licensed land surveyor) and Tom Forest (licensed septic designer) appeared before the Board. No abutters were present. Public hearing opened.

Flavin reviewed the plan before the Board. It was noted that the driveway permit from the State of New Hampshire has yet to be received. Carbonneau reminded the Board that should the boundary line adjustment be granted, the deeds conveying the property should be provided to the Town for recording contemporaneously with the plan. Public hearing closed.

Motion by Self to grant the boundary line adjustment subject to the following conditions:

1. Subject to receipt of driveway permit from NH-DOT; and
2. The boundary line adjustment approval will not be final until the signed deeds conveying the properties effectuating the boundary line adjustment have been conveyed to the Town for recording, together with the appropriate recording fees for recording the deeds.

Seconded by Mazza. Vote: All in favor.

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

1. the boundary line adjustment approval being finalized; and
2. receipt of driveway permit from NH-DOT.

Seconded by Mazza. Vote: All in favor.

Mark Manougian informed the Board that he would be audio taping tonight's proceedings regarding the Sevene matter. Page informed the audience of the same.

3. Site Plan Review Application – Jeffrey Sevene wishes to utilize a portion of the premises and an existing garage for an excavation and construction service business. The property is situated at 140 Pine Street and shown at Tax Map 57, Lot 118 situated in the Business Zoning District. The property is owned by Jeffrey Cournoyer. Attorney Michael Bentley was present on behalf of Jeffrey Sevene. Also present was Jeffrey Sevene. Numerous abutters and interested citizens were present. Public hearing opened.

Bentley presented and reviewed an updated site plan to the Board, including those items specifically noted by the Board on June 4, 2009, as well as those items required pursuant to Section XII (Submission Requirements) of the Site Plan Regulations. Bentley provided the Board with a request for waiver of Section XII, Items 2 (scale), 13 (grades & topography) and 18 (soil survey information). In addition, Bentley submitted a letter dated June 18, 2009 detailing the applicant's position on "outside lighting," "number of pieces of equipment to be placed on

site,” “hours of operation,” “septic and water,” and “idling of engines.”

Bentley also submitted a copy of a “License” and an “Affidavit” signed by Dennis and Carol Fish, permitting Cournoyer and Sevene to utilize the section of the existing driveway that encroaches on Fish’s property.

Attorney Thomas Hanna was present on behalf of abutting property owners Mark Manougian and Annette Studebaker. Hanna stated that he had not had the opportunity to examine the additional documents presented by Attorney Bentley this evening and felt that these documents should have been provided two weeks ago when the Board accepted the application as complete. In addition, Hanna felt that the changes presented this evening represented “major changes” after the application had already been approved by the Board as being complete. Hanna stated that he would like additional time to examine the plans and submitted documents. In addition, Hanna formally requested that the Board conduct a site visit.

Motion by Thieme to conduct a site visit on Saturday, June 27, 2009 at 1:00 p.m. Seconded by Russell. Vote: All in favor. Abutting property owner Mark Manougian stated that he wanted the police department to be in attendance at the site visit. Page stated that it was his opinion that there was no need to have police at the site visit; Board members concurred.

Bentley stated that many interested citizens were at tonight’s meeting to support Sevene; Bentley requested that they have an opportunity this evening to speak. Hanna had no objection to the same. Hanna confirmed with the Chair that additional testimony would be entertained at the July 2, 2009 meeting of the Board regarding this matter.

Numerous interested citizens expressed their support for the applicant, noting that he has been in business at that location for many years. Hanna noted that Sevene has been operating his business without the required approvals from the Town.

Motion by Fuerderer to continue the public hearing to the site visit on June 27, 2009 at 1p.m., with the understanding that the public comment portion of the public hearing will be further continued to July 2, 2009 at 7:00 p.m., all without further notice. Seconded by Self. Vote: All in favor.

B. DISCUSSIONS/OTHER BUSINESS –

1. Structure of Planning Board Workgroup – Carbonneau stated that there has been increasing interest in the Planning Board Workgroup (focusing on Route 10 zoning in the vicinity of Yale Forest). As a result, Carbonneau felt that the group needed a more formal structure. Carbonneau suggested the following composition:

2 Planning Board members

- 1 Conservation Commission member
- 1 Open Space Committee member
- 1 EDAC member
- 1 Board of Selectmen member
- 1 At-large member

Planning Board members felt that this was adequate and that each board/commission would be responsible for designating its representative. Also, it was suggested that a quorum consist of 4 members; motion would need a simple majority of members present to prevail. Page would chair the sub-committee. Carbonneau stated that Bill Hutwelker, Barbara Skuly and Bob Beauregard have all expressed interest in the group. Board members suggested that Beauregard be appointed the at-large member.

Motion by Carlson to endorse the structure of the Planning Board workgroup as presented. Seconded by Russell. Vote: All in favor.

2. Minutes from June 4, 2009. Carbonneau noted that the minutes should be amended to reflect that Barlow voted against granting the subdivision application submitted by Larry Koch (Map 79, Lot 6-3). Motion by Fuerderer to approve the minutes from June 4, 2009 as amended. Seconded by Self. Vote: All in favor (with Carlson, Russell & Thieme abstaining).

Motion by Russell to adjourn. Seconded by Fuerderer. Vote: All in favor. Meeting adjourned at 8:30 p.m.

Submitted by,

Sara H. Carbonneau
Town Planner