

**SWANZEY PLANNING BOARD MINUTES
SEPTEMBER 7, 2006**

[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 September 7, 2006 meeting of the Swanzeay Planning Board was called to order at 7:00 p.m. by Chair Glenn Page. Members present: Glenn Page, June Fuerderer, Charles Beauregard, Sr., Scott Self, Victoria Barlow, Dick Lane, Selectmen's Representative Bruce Tatro and alternates Jeanne Thieme and David Osgood. 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 tonight's agenda could "reasonably be construed as having the potential for regional impact." Motion by Self that no items on tonight's agenda could be reasonably construed as having the potential for regional impact. Seconded by Barlow. Vote: All in favor.

A. PUBLIC HEARING –

1. Subdivision Application – Robyn Lane Romano wishes to subdivide Tax Map 13, Lot 7 into 2 lots. The subject premises are located on CL Lane and situated in the Rural/Agricultural Zoning District. Tax Map 13, Lot 7 currently consists of 10.91 acres. The proposed lots will be 3.48 acres and 7.43 acres. Public hearing opened (continued from August 17, 2006). Robyn Romano appeared before the Board. No abutters were present.

Board members acknowledged receipt of a memorandum from DPW Director Lee Dunham dated September 7, 2006 stating that additional information regarding the proposed driveway construction is needed.

Carbonneau noted that should the applicant desire to utilize the rear lot access for both lots, a variance would be required.

Motion by Fuerderer to continue the public hearing to September 21, 2006 without further notice. Seconded by Beauregard. Vote: All in favor.

2. Multi-Tenant Application – Larry Holmes d/b/a Monadnock Enterprise wishes to use a portion of the premises situated at 935 West Swanzeay Road for a business consisting of office and associated storage space for a general contracting business. The property is shown at Tax Map 87, Lot 3 situated in the Business Zoning District. The property is owned by Toby Debattiste. Public hearing opened. Larry Holmes appeared before the Board. No abutters were present.

Page noted that the location of this business is near Pine Grove MHP. Holmes stated that he and his wife are the only employees, noting that his wife works part-time.

Holmes stated that Monadnock Enterprise consists of a contracting business, a DJ entertainment business and a sewer line installation business. Holmes noted that the space will be utilized for office space. There will be no retail, no outside storage of materials and no outside vehicle storage, other than the vehicles that Holmes and his wife drive to work. Holmes stated that he contracts for machinery and no excavators, bulldozers, etc. will be stored on site.

Carbonneau noted that a sign permit application will need to be submitted. Holmes stated that he was aware of this and was waiting to see if the business use would obtain approval. Public hearing closed.

Motion by Self to grant the multi-tenant application subject to the following conditions:

1. Business vehicles on site will be limited to 2 vehicles.
2. No retail activity is to occur on site.
3. All materials to be stored inside.

Seconded by Fuerderer. Vote: All in favor.

3. Subdivision Application – Arlene R. & David R. Manning wish to subdivide Tax Map 70, Lot 2 into 2 lots. The subject premises are located at 404 Homestead Avenue and situated in the Residence Zoning District. Tax Map 70, Lot 2 currently consists of 7.21 acres. The proposed lots will be 1.01 acres and 6.20 acres. David Manning appeared before the Board. No abutters were present. Public hearing opened.

Carbonneau noted that DPW Director Dunham has approved the location of the driveway. Carbonneau noted that a letter has been received from the septic designer noting that each lot contains at least one “dry” and “flat” acre. Manning stated that state subdivision approval has been received. Public hearing closed.

Motion by Barlow to grant the subdivision application. Seconded by Beauregard. Vote: All in favor.

4. Consideration of the Site Plan Review Application submitted by G.B. Investment Holdings, Inc. was deferred until Fire Chief Karasinski was able to be present.

5. Boundary Line Adjustment Application – between Tax Map 3, Lots 20, 21 and 22. Tax Map 3, Lot 20 is owned by David R. Johnson; Tax Map 3, Lot 21 is owned by Franklin and Michele Hurt; and Tax Map 3, Lot 22 is owned by Robinson Johnson Partnership. The boundary line adjustment seeks to add a total of 0.06 acres to Map 3, Lot 21; adds 1.47 acres to Map 3, Lot 22 and decreases Map 3, Lot 22 by 1.53 acres. The properties are situated of Flat Roof Mill Road and located in the Business Zoning District. David Johnson and Franklin Hurt appeared before the Board. No abutters were present. Public hearing opened.

Board members reviewed the plans, noting that the adjustments make the non-conforming lots more conforming, as well as providing for “better-shaped” lots. Public hearing closed.

Motion by Fuerderer to grant the boundary line adjustment application. Seconded by Beauregard. Vote: All in favor.

Carbonneau reminded the applicants that the boundary line adjustment is not completed until the appropriate deeds are recorded at the Registry of Deeds conveying the parcels.

6. Public Hearing on Proposed Amendments to the Swanzev Site Plan

Review Regulations – The proposed amendments add architectural plans to the items required by the Planning Board when submitting an application for Site Plan Review and set forth factors for the Board to consider when reviewing the same. A copy of the proposed amendments is attached hereto. Public hearing opened.

Page reviewed the proposed amendments. Page noted that the proposed amendments do not effect applications currently pending before the Board. There were no comments or questions from either the public or the Board. Public hearing closed.

Motion by Barlow to adopt the proposed amendments to the Swanzev Site Plan Review Regulations. Seconded by Fuerderer. Vote: All in favor with the exception of Lane who voted in opposition to the motion.

B. OTHER APPLICATIONS –

The following application is being reviewed for completeness only. Comments will be limited to the completeness of the application only.

1. Site Plan Review Application – David Bergeron, agent on behalf of Furlone, LLC, wishes to construct a 5,000 s.f. (footprint) building to be offered for lease and will provide office and warehouse space. The property is situated at 265 Old Homestead Highway and shown at Tax Map 36, Lot 5 situated in the Business Zoning District. Dave Bergeron and Bob Furlone appeared before the Board. No abutters were present.

Bergeron reviewed the site plans before the Board. Currently, the site has public water and sewer available. Bergeron noted that this is the first phase of a multi-phase project, stating that if all phases are completed a total of six buildings (including the Baudelaire building) will be located on the property.

Bergeron also reviewed the building elevation plans, noting that the plans have been revised slightly to include a drive-in door on the end of the building, which also necessitated revising the drainage. These changes were made as Furlone has a potential tenant committed to the building.

The Board questioned the screening from abutting residential uses. Bergeron noted that an established and fairly dense planting of evergreen trees was located on the property to the south.

Board members stated that they would like Fire Chief Karasinski to review the plans before the public hearing to determine if the location of the fire hydrants is appropriate.

Motion by Beauregard to accept the application as complete. Seconded by Fuerderer. Vote: All in favor.

2. Subdivision Application – Don Bedaw wishes to subdivide Tax Map 70, Lot 17 into 2 lots. The subject premises are located on Westport Village Road and

situated in the Residence Zoning District. Tax Map 70, Lot 17 currently consists of 2.65 acres. The proposed lots will be 1.55 acres and 1.10 acres. Don Bedaw appeared before the Board. No abutters were present.

Carbonneau stated that a letter dated July 28, 2006 from Licensed Septic Designer Peter Bisell was provided, stating that “both lots have a complete acre which is not wetland.” In addition, it states that the slopes are 3 to 8%.

Carbonneau stated that DPW Director Dunham is fine with the proposed location of the driveway.

Motion by Beauregard to accept the application as complete. Seconded by Fuerderer. Vote: All in favor.

3. Site Plan Review and Subdivision – Royal Eagles Development wishes to construct a 28,000 s.f. building to be utilized as a sports arena on a leasehold (subdivided) parcel consisting of 2.9 acres. The property is situated at 247 Monadnock Highway and shown at Tax Map 19, Lot 94 situated in the Business Zoning District. Rick Scott and Vic St. Pierre appeared before the Board from Royal Eagles Development. Members of the Board of Directors of the Cheshire Fair Association were also present. No abutters were present.

Carbonneau noted that pursuant to state statute, as well as the Town’s subdivision regulations, a leasehold interest is considered a subdivision of property. St. Pierre noted that since the lot being “subdivided” consists of less than 5 acres, State subdivision approval will be required.

St. Pierre reviewed the site plan before the Board, noting that the building to be constructed will consist of 28,000 s.f. with a 103 car parking lot. Access has already been approved by NH-DOT. St. Pierre noted that they would eventually like to connect to Safford Drive when that road is brought out to Route 12.

St. Pierre briefly reviewed the grading and drainage plans. St. Pierre also noted that some landscaping has been provided for on site.

St. Pierre informed that Board that the sports arena will be sprinklered and that there will be a fire wall between the existing ice arena and the sports arena.

Carbonneau stated that the application pending before the Board is limited to the uses set forth by Royal Eagles Development for the period running from November 1st through April 30th. Any use of the structure from May 1st through October 31st will need to be presented to the Planning Board (and possibly the Zoning Board of Adjustment) for review and approval. Conditions established by the ZBA were noted as follows:

“a. the approval of the special exception is limited to the period running from November 1 through April 30th. Any use of the building from May 1 through October 31 may be subject to further Zoning Board review and approval and will be subject to site plan review before the Planning Board.

b. Hours of operation during the period running from November 1 through April 30th will be limited to 6 a.m. through midnight;

c. Maximum seating capacity during the period running from November 1 through April 30th will be limited to 100 seats.”

Motion by Beauregard to accept the site plan review and the subdivision applications as being complete, noting that the site plan review application is

for the period running from November 1st through April 30th. Seconded by Lane. Vote: All in favor.

C. PUBLIC HEARINGS CONTINUED –

1. Site Plan Review Application – G.B. Investment Holdings, Inc. wishes to construct a 16,000 s.f. building for office and warehouse space. The property is situated at 36 Denman Thompson Highway and shown at Tax Map 72, Lot 40 situated in the Business Zoning District. Ken Greatbatch appeared before the Board on behalf of the applicant. No abutters were present. Fire Chief Karasinski was present. Public hearing opened.

Greatbatch noted that the Conservation Commission is opposing the wetlands application for the fire truck access. Greatbatch stated that he was upset the that Conservation Commission never contacted him for comment and noted that many of the questions and mis-statements that were made by the Commission could have been answered had they contacted him or the Fire Chief.

Karasinski stated that a means of water supply to the property is required, as the Town cannot rely upon the West Swanzey Water Company's hydrants for fire protection. Greatbatch stated that in the event that DES denies the wetland's permit application, he will provide a cistern on site.

Greatbatch also provided the Board with additional details regarding the proposed landscaping on site. This information is contained within a letter dated September 7, 2006 from Greatbatch. Public hearing closed.

Motion by Self to grant the site plan review application subject to the following:

- a. In the event that the wetlands permit application is not granted by NH-DES, the applicant will install a cistern or cisterns as approved by the Fire Chief; and
- b. The letter from Greatbatch dated September 7, 2006 will be attached to and made part of the landscaping site plan, also noting that the tree near the hydrant (as shown on the plan) will not be planted.

Motion seconded by Lane. Vote: All in favor.

D. DISCUSSIONS –

1. Carbonneau reminded the Board of the meeting of the Cheshire County Delegation on September 11, 2006. Board members reviewed a letter prepared by Chairman Page addressed to the Delegation Members and the Cheshire County Commissioners. Selectmen Tatro, Davis and Carlson were present and indicated their individual support of the letter.

Page stated that he had a conversation with Representative Judd Dexter who indicated that he would be attending tonight's meeting. Dexter was not present at the meeting.

Motion by Fuerderer to send the letter, with minor modifications, to the Delegation Members and County Commissioners with a copy to the Keene Sentinel. Seconded by Self. Vote: All in favor.

Motion by Self to add to the letter that the positions stated in the letter were also supported by Tatro, Davis and Carlson. Seconded by Beauregard. Vote: All in favor.

2. Minutes from August 17, 2006 – Motion by Beauregard to approve with the correction of a minor typographical error on page 2. Seconded by Fuerderer. Vote: All in favor.

Motion by Beauregard to adjourn. Seconded by Tatro. Vote: All in favor.
Meeting adjourned at 9:00 p.m.

Submitted by,

Sara H. Carbonneau
Town Planner

Site Plan Review Regulations – Proposed Amendments
Adopted by the Planning Board on September 7, 2006.

Amend Section VIII.G. General Standards by adding new sub-section “m” as follows:

m. Architectural Plans.

No permit shall be granted for a commercial, industrial or multi-family building unless an architectural plan drawn to scale meets all of the requirements of the Planning Board. Specifications shall have been filed with and approved by the Planning Board.

The Architectural Plans shall, at a minimum, indicate the following:

- (1) Floor plan(s);
- (2) Building Elevations (all four sides);
- (3) The style of windows and doors to be installed on the building;
- (4) The type of building material to be used on the exterior of the building, including color renderings; and
- (5) The Board may request details, and other plans (axonometric, details, etc.) should they believe that it is in the best interests of the community in the review of the project.

The evaluation of the following appearance factors will govern the Planning Board’s decisions on whether the proposed building designs are acceptable:

- (1) Building materials and color considerations;
 - (2) Harmony and compatibility of project compared to existing site and neighborhood;
 - (3) Lighting design (only lighting visible from the exterior of the building);
- and
- (4) Retention, alteration, or removal of existing structures and site features.

Amend Section XII. Submission Requirements by adding a new sub-section 20 as follows:

20. Architectural plans.