

**SWANZEY PLANNING BOARD MINUTES
MARCH 16, 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 regular meeting of the Swanzeay Planning Board was called to order at 7:00 p.m. by Chair Glenn Page. Members present: Glenn Page, Scott Self, June Fuerderer, Dick Lane and alternates Victoria Barlow and Steve Russell. Barlow was seated for Scott Lambert and Russell was seated for Charles Beauregard, Sr. The agenda for the evening's meeting was read and the following matters were addressed:

A. PUBLIC HEARINGS –

1. Subdivision Application – Broadvest Properties, Inc. wishes to subdivide Tax Map 20, Lot 153 into 18 lots. The subject premises are located off Arrowcrest Drive and situated in the Business Zoning District. Tax Map 20, Lot 153 currently consists of 33.647 acres. Shane Lampinen and Randy Bragdon from Souhegan Valley Engineering appeared before the Board. Bob Silk from the Cheshire Fair (abutting property owner) was also present. Public hearing opened.

Board members acknowledged receipt of a letter from the Board of Selectmen requesting continuance of this matter to April 6, 2006 as Selectman Faulkner and DPW Director Lee Dunham were unable to be present this evening. Lampinen stated that he had received a copy of the letter and did not object to continuing the public hearing to April 6th. However, Lampinen asked that his engineer be able to update the Board tonight on minor changes to the plans.

Bragdon reviewed the plans before the Board. The proposal is for an 18 lot subdivision (including the current house on Map 20, Lot 153). Each lot meets the minimum 1 "dry" acre requirement. Plans include test pit data, 4-K site, road profile and road construction details. It was noted that 4 wetlands crossings are proposed. Bragdon stated that the roadway was curved to minimize impact to wetland areas on site.

Bragdon stated that a road connecting the proposed subdivision to the Marcy Hill Road project is proposed ("Birchview Drive"). "Birchview Drive" would be located over property owned by the Town of Swanzeay.

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Bragdon stated that water storage in the form of a fire pond is shown on the plans. It is estimated that at least 30,000 gallons of water would be available in the fire pond. In addition, the plans reflect a “gravel fire pullout area” near the fire pond for access.

Bragdon stated that driveways could be constructed on site meeting all Town requirements. Bragdon stated that all well radiuses are contained within each lot with the exception of 1 lot, for which a waiver has been requested from DES.

Bragdon noted that site specific, wetlands and state subdivision approval applications have been submitted to the State of New Hampshire. Carbonneau stated that the drainage calculations (submitted with the site specific permit application) are on record in the Land Use Office. Bragdon noted that the Conservation Commission had requested over-sized culverts at the wetland crossings to “better enable the passage by wildlife, burying 20% of the culverts and providing a stony substrate though the culvert” to which the applicant agreed.

Bob Silk from the Cheshire Fair Association stated that the Fairgrounds is experiencing additional runoff problems in its parking lot after the subdivision and construction of the initial 8 lots by Lampinen. Silk acknowledged that last year was “wetter than normal,” but that there has been substantial additional runoff. Lampinen and Bragdon agreed to meet with Silk to review the site.

Motion by Fuerderer to continue the public hearing to April 6, 2006 at 7:00 p.m. without further notice. Seconded by Lane. Vote: All in favor.

2. Site Plan Review & Multi-Tenant Application – Lawrence Septic Design, agent on behalf of Lawrence Realty, LLC, wishes to construct a 1500 s.f. storage building on the premises. In addition, the applicant has submitted a multi-tenant application in order to utilize the existing 4000 s.f. building for office space for a plumbing & hearing company. The property is situated at 18 West Swanzey Road and shown at Tax Map 38, Lot 3 situated in the Commercial/Industrial Zoning District. Charles Lawrence appeared before the Board on behalf of the Applicant. No abutters were present. Public hearing opened. The Board considered both the site plan review application and the multi-tenant application at the same time. In addition, the Board considered the free-standing sign application. **Free-Standing Sign Application** – Guyette’s Sales & Services, LLC wishes to modify the existing sign situated at 18 West Swanzey Road, Tax Map 38, Lot 3. The property is owned by Lawrence Realty, LLC.

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Lawrence stated that the proposed new 30 x 50 foot building (1500 s.f.) would be for storage. The building would have electricity and may have electricity. There would be no plumbing in the building.

Lawrence noted that the existing 4000 s.f. building already is divided into space for offices and that no major modifications are planned.

Page noted that a waiver had been requested from the landscaping regulations. Lawrence stated that provisions have been made for some additional landscaping on the property. However, due to the existing conditions on the site, meeting the landscaping requirements would be very difficult.

Lawrence stated that the two existing storage trailers on the site would be removed once the new storage building is constructed.

Board members reviewed the free-standing sign application, noting that the area encompassed by the proposed new bottom portion of the sign is no greater than the existing area encompassed by the ladder signs. Public hearing closed.

Motion by Self to approve the site plan review application, multi-tenant application and sign application, subject to review and approval by the Code Enforcement Officer and the Fire Inspector. Seconded by Fuerderer. Vote: All in favor.

3. Home Occupation Application – Gary & Laurie Boes wish to utilize the existing barn on property situated at 652 Old Homestead Highway for a home occupation consisting of an antique shop. The property is situated in the Residence Zoning District, shown at Tax Map 34, Lot 7. Gary and Laurie Boes appeared before the Board. No abutters were present. Public hearing opened.

Page noted that the Board of Selectmen had approved the use as a home occupation subject to the condition that all sales and displays are to be restricted to the inside of the barn.

Page stated that the Board is in receipt of a letter dated March 12, 2006 from Anne and Thomas Burke expressing concerns, primarily revolving around traffic and parking. G. Boes noted that he has adequate parking on site. However, G. Boes acknowledged that there have been problems with trucks making deliveries to his property and parking on the Burkes' property. G. Boes stated that he has spoken with the Schwann's delivery man in the past about the Burkes' concerns about parking on their property. G. Boes stated that he would also put signs on his property indicating where people should park.

G. Boes stated that at the present time they have no plans on installing a sign, but would like to use an "Open" or "Welcome" flag. Board members stated that "Open" or "Welcome" flags are considered

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signs and would need to meet the 4 s.f. sign requirement for home occupations.

G. Boes noted that his family has stopped selling pumpkins and will not be reviving this practice. Public hearing closed.

Motion by Self to grant the home occupation subject to the condition that all sales and displays are to be restricted to the inside of the barn. Seconded by Lane. Vote: All in favor.

4. Home Occupation Application – Charles L. Stevens wishes to utilize property situated at 188 Forest Avenue for a home occupation consisting of a swimming pool maintenance and service business. The property is situated in the Residence Zoning District, shown at Tax Map 74, Lot 8. Charles Stevens appeared before the Board. Abutter Craig Nichols was also present. Public hearing opened.

Stevens stated that all of the maintenance work will be conducted off site. There will be a room in the house utilized as an office and an existing shed will be used for storage of materials and supplies.

Stevens stated that a van is used by the business. This van is primarily housed in Troy. Nichols inquired about storage of chemicals and was informed by Stevens that they carry only one 100 pound container of chlorine at a time and that container is usually in the van. Public hearing closed.

Motion by Self to grant the home occupation subject to the following conditions:

1. Only one 100 pound container of chlorine may be on the premises at any time;
2. Subject to review and approval by the Code Enforcement Officer and Fire Inspector; and
3. Applicant to provide the Code Enforcement Officer and Fire Inspector with copies of MSDS sheets for the chemicals used.

Seconded by Lane. Vote: All in favor.

B. OTHER APPLICATIONS –

1. Free-Standing Sign Application – Cheshire Family Funeral Home wishes to install a free-standing sign consisting of 18 square feet on existing sign standards. The property is situated at 46 South Winchester Street, Tax Map 72, Lot 34. The applicant request that this matter be continued to the April 6, 2006 meeting of the Planning Board. Motion by Lane to defer this matter to the April 6, 2006 meeting. Seconded by Self. Vote: All in favor.

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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 – Rymes Propane & Oils, Inc. wishes to construct a 6,344 s.f. building for bulk storage, “covered fill and loan station” and “covered truck parking.” The property is situated off Route 10 and Sawyer’s Crossing Road and shown at Tax Map 55, Lots 2-1 and 2-2 situated in the Commercial/Industrial Zoning District. Tom and Jim Rymes (property owners) and John St. Pierre and Nick Cricenti from SFC Engineering appeared before the Board.

St. Pierre reviewed the proposed site plan. The applicant wishes to construct a building to house fuel storage tanks – specifically, 4-20,000 gallon tanks to hold biodiesel, kerosene, home heating oil and regular diesel fuel.

Cricenti stated that a portion of the structure would house the fueling area. Trucks would enter the fueling area, turn off the truck, close the overhead door and begin fueling. Cricenti stated that the proposed fueling system is state-of-art.

In addition, the applicants are proposing a horse-shoe shaped driveway to facilitate trucks entering and exiting the property. The proposed new entrance would be further easterly on Sawyer’s Crossing Road. Carbonneau reminded the applicants that they will need a curb cut from DOT- District IV, as Sawyer’s Crossing Road is a state road.

Abutting property owner Michael Murphy was present. Murphy expressed concern about the existing noise levels on the property and the potential impact of additional truck traffic on the noise levels. J. Rymes felt that noise mitigation measures could be incorporated into the project.

Motion by Barlow to conduct a site visit on March 25, 2006 at 9:00 a.m. Seconded by Fuerderer. Vote: All in favor. It was requested that the applicant have the driveway and building location staked out for the site visit.

St. Pierre requested that the Board vote on completeness of the application tonight. Board members did not want to do this, deferring the vote to the April 6, 2006 meeting.

C. DISCUSSIONS –

1. Discussion regarding Lot 10 Sawmill Estates (Tax Map 33, Lot 24) with Doug Croteau and Attorney Kendall Lane. Board members reviewed correspondence from Attorney Bradley dated March 7, 2006, as well as Attorney Lane’s letter dated February 22, 2006. Lane reviewed

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the history of this parcel, together with information regarding Sawmill Estates subdivision and the restrictive covenants. Lane requested that the Board accept jurisdiction over this matter (as provided for in the restrictive covenants) to consider removing the restriction that Lot 10 cannot have a residential building placed upon it.

Motion by Self to accept jurisdiction over this matter and to hold a public hearing on April 6, 2006. Seconded by Fuerderer. Vote: All in favor.

2. Discussion with Robert Secord re use of property. Secord stated that he has a potential tenant for a portion of the building. The tenant would operate a fitness and tanning center; no showers would be available. Board members reviewed the definition of “recreation facility conducted as a business” and did not feel that the proposed use was a “recreation facility conducted as a business,” but rather fell under the definition of “retail sales/services.”

Motion by Self that the Board considers a fitness and tanning center to fall under the use category of “retail sales/services.” Seconded by Fuerderer. Vote: All in favor.

Secord also stated that he would like to construct additional parking behind the building. The parking area to the rear of the building would not be paved. Board members stated that they considered this to be a modification to a previously approved site plan and that Secord should submit a formal request for modification, so that Carbonneau may schedule a public hearing.

3. Minutes from February 16, 2006 and March 2, 2006.

Motion by Fuerderer to approve the minutes from February 16, 2006 and from March 2, 2006 as submitted. Seconded by Self. Vote: All in favor.

Motion by Lane to adjourn. Seconded by Self. Vote: All in favor.
Meeting adjourned at 8:50 p.m.

Submitted by,

Sara H. Carbonneau
Town Planner