

**SWANZEY PLANNING BOARD MINUTES  
OCTOBER 12, 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 October 12, 2006 meeting of the Swanzey 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, Richard Lane, Victoria Barlow and alternate Jeanne Thieme. 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 Beauregard that no items on tonight's agenda could be reasonably construed as having the potential for regional impact. Seconded by Fuerderer. Vote: All in favor.

**A. PUBLIC HEARINGS –**

**1. Multi-Tenant & Free-Standing Sign Application –** Christi Parish wishes to use a portion of the premises situated at 135 Old Homestead Highway for a massage therapy business. The property is shown at Tax Map 37, Lot 2 situated in the Business Zoning District. The property is owned by George Trahan. In addition, the Applicant seeks to install a free-standing sign consisting of 3.0 s.f. (9" x 48"). Christi Parish appeared before the Board. No abutters were present. Public hearing opened.

Parish stated that she is planning on operating her business 20 hours per week and that she will be the sole employee. Parish is licensed by the State of New Hampshire as a massage therapist. Board members suggested that Parish might want to amend her application to allow up to 40 hours per week, instead of needing to come back to the board at a later date to increase hours. Parish agreed.

Parish stated that she plans on installing a free-standing sign on the existing sign standards, replacing an old sign.

Page noted that the Board has received a letter of support from Rachel Elkins. Public hearing closed.

Motion by Self to grant the sign application and the multi-tenant application subject to review and approval by the Code Enforcement Officer and the Fire Inspector, noting the amendment to the application to permit Parish to operate up to 40 hours per week. Seconded by Beauregard. Vote: All in favor.

**2. Multi-Tenant & Free-Standing Sign Application** – Chem Clean Furniture Restoration wishes to use a portion of the premises situated at 2 South Winchester Street situated in the Village Business Zoning District for a furniture stripping business. The property is owned by Homestead Woolen Mills, Inc. In addition, the Applicant seeks to install a free-standing sign consisting of 6.68 s.f. (20" x 48"). Bruce Treat from Homestead Woolen Mills and David Stone from Chem Clean appeared before the Board. No abutters were present. Public hearing opened.

Treat stated that Chem Clean was originally approved to operate in the main building of the mill in 1998, but has since moved to what was formerly the garage building. Treat reviewed a site plan with the Board, noting that parking has been reconfigured in the area immediately adjacent to the garage. Treat also noted that the area situated at the southwesterly corner of the intersection of West Street and South Winchester Street is no longer available for parking and has been grassed over. Treat stated that there are approximately 70 full time employees in the mill and there are approximately 150 to 160 parking spaces.

Stone stated that chemicals used for his business are stored in rooms constructed of concrete block and that no chemicals or materials are stored outside. Stone noted that the Fire Chief and the Code Enforcement Officer have conducted a preliminary walk-through of the space. It was noted that minor changes will need to be made per their recommendations. One of the changes involves the sealing of the floor drain.

Stone noted that the sign is not a free-standing sign, but rather an attached sign. Public hearing closed.

Motion by Self to grant the attached sign application together with the multi-tenant application subject to review and approval by the Code Enforcement Officer and the Fire Inspector. Seconded by Fuerderer. Vote: All in favor.

**B. OTHER APPLICATIONS – The following application is being reviewed for completeness only. Comments will be limited to the completeness of the application only.**

**1. Cluster Subdivision Application** – Marty Reyes wishes to subdivide Tax Map 43, Lot 11 into 25 lots. The subject premises are located off Talbot Hill Road and situated in the Rural/Agricultural Zoning District. Tax Map 43, Lot 11 currently consists of 213 acres. The property is

owned by Mirle Cross. Present on behalf of the Applicant were Marty Reyes, Charles Beauregard, Jr., Rob Hitchcock (engineer), Russ Huntley (surveyor and certified wetlands scientist) and Attorney Barry Faulkner. Numerous abutters were present. Charles Beauregard, Sr. stepped down from this matter due to a potential conflict of interest and Thieme was seated for this matter.

Page stated that the scope of the Board's review this evening is to determine whether the application is complete. Page explained that the plans will need to be reviewed by the Town's engineer, with the subsequent comments being reviewed by the Town's department heads. Page stated that it was more realistic and productive to schedule the public hearing for November 2<sup>nd</sup>. It was noted that no additional notification needs to be made, assuming the Board continues the public hearing to a date and time certain.

Hitchcock reviewed the plans, noting that the proposal is for 24 house lots on the 213 acre parcel. Hitchcock stated that each lot contains at least 1 "dry and flat acre." The proposed town road is approximately 3,800 feet and culminates with a hammerhead. Each paved travel lane will be 11 feet wide, with a 4 foot paved bike path and 2 foot gravel shoulders.

Hitchcock reviewed drainage, noting that 5 detention basins were proposed for the project. In addition, the culverts will be a minimum of 18 inches. Hitchcock stated that drainage for the project would need to be reviewed and approved by the NH Department of Environmental Services. Hitchcock also noted that State Subdivision Approval, a wetland's permit and compliance with the Land Sale's Disclosure Act would also be needed.

A 30,000 gallon cistern is proposed to be located near the entrance to the development. Hitchcock noted that the location has been approved by the Fire Chief. Hitchcock stated that a homeowner's association would be responsible for the maintenance of the tank. It was later noted that easements for the cistern, as well as drainage devices, would be needed. Hitchcock was asked that the applicant prepare draft language regarding the easements, outlining the basic rights and responsibilities of maintaining the drainage devices, flowage areas and cistern.

Hitchcock stated that a traffic report was prepared by Laurie Rauseo as part of the public hearing process before the ZBA. This report was provided to the Planning Board. Hitchcock noted that Rauseo's report concluded that there was adequate roadway capacity in the area to accommodate the proposed development.

Board members noted that utilities were not shown on the plan and requested that Hitchcock provide this information. In addition, Board members requested that Hitchcock demonstrate that driveways, meeting the Town's driveway regulations, be shown on the engineering

plans. Hitchcock noted that lots 11 and 20 may have issues siting driveways and that shared driveways may be requested for these lots.

Abutting property owner Grace Lilly inquired as to the possibility of off-site improvements and the imposition of exactions by the Board. Lilly was informed that is an issue to be considered during the public hearing.

G. Lilly also inquired as to how the wetlands were delineated. Huntley explained the process, noting that wetlands are delineated in accordance with the Army Corps of Engineers regulations (which the State of New Hampshire follows). G. Lilly asked whether the utilities would be underground. Hitchcock stated that that had yet to be determined and that he would report back at the public hearing.

Hitchcock stated that 153 acres of undeveloped land would remain in the development, noting that approximately 55 acres are the individual lots and 4.5 acres road way, with approximately one-half acre to be conveyed to abutting property owner G. Bell. Carbonneau noted that the 153 acres cannot be developed, as that is a condition of the special exception provision in the zoning ordinance. Reyes stated that they intend to create a homeowners association that would, in all likelihood, hold title to the undevelopable land, but noted that they may enter into an agreement to place a conservation easement on the property.

Bonding was discussed briefly, with Page noting that an estimate of road construction costs would be prepared by Underwood Engineers. In addition, Hitchcock noted that the applicant had yet to decide whether the project would be phased. Carbonneau noted that was important for the Board to know, especially when considering bonding.

Motion by Lane to accept the application as complete subject to the applicant providing proposed driveway locations on the engineering drawings, noting that the public hearing on this matter will be held on Thursday, November 2, 2006 at 7:00 p.m. at Town Hall. Seconded by Self. Vote: All in favor.

## **C. DISCUSSIONS –**

**1. Zoning Amendments.** Board members discussed potential zoning amendments for 2007. Items discussed were as follows:

a. Amending Section III-A.6.e. to reflect that it is a ground roof load of 70 lb. versus roof snow load.

b. Frontage and driveways were discussed. Carbonneau suggested that the Board might want to consider making the frontage requirement consistent with the “dry and flat” minimum acreage requirement. Board members felt that in order to create a subdivision, the applicant needs to demonstrate to the Board that the DPW Director will grant a driveway permit. In addition, if the frontage crosses wetlands, the applicant needs to obtain a permit from DES allowing the driveway to cross the wetlands. Board members felt that while the

property owner may decide to use a shared driveway and not access the property over wetlands or steep slopes, the applicant needs to demonstrate in the first instance that they can obtain a driveway permit over the frontage of the property. Board members felt that this may be better addressed through the subdivision regulations versus the zoning ordinance.

c. Board members discussed density requirements for multi-family housing connected to public sewer, noting that so long as the applicant has met the minimum acreage requirement, the ordinance currently places no limits on the possible number of units. Page felt that the density was limited by other regulations such as height, setbacks and parking requirements. Other Board members felt that additional requirements should be established on multi-family, such as a density factor or a height/setback ratio. Board members felt that a density factor on a district by district basis may be appropriate, [especially given the recent expansion of public sewer service in North Swanzeey.] Carbonneau will review how other communities regulate density of multi-family housing and will report back to the Board.

Barlow stated that consideration should be given to deleting multi-family from the business district entirely. Referencing recent arguments against removing the Bardwell property from the tax rolls for construction of a new county jail, she noted that little commercially zoned property remains in Town. To permit housing to “eat away” at this valuable land may not be in the public’s best interest.

d. Board members also discussed what is considered “public sewer” vis a vis the density requirement and connecting to public sewer. Some board members felt that the Planning Board, in conjunction with the Sewer Commission, should define the domain of the sewer area. Board members felt that it was important for the Board and the Sewer Commission to define the boundaries of public sewer service, rather than allowing developers to delineate areas for expansion.

e. Board members discussed hammerheads vis a vis frontage requirements. Carbonneau stated that it should be made clear that the area of a hammerhead, where road extension is a possibility, is strictly an easement for turnaround, and not part of the roadway for frontage calculation purposes. Board members felt that this could be included in the subdivision regulations.

Further, Board members discussed whether cul-de-sacs were more appropriate for dead-end roadways versus hammerheads. This needs further input from the DPW Director.

f. Jeanne Thieme inquired whether the Board would be interested in protecting wetlands with buffers. Carbonneau stated that she would assemble some information regarding buffers for wetlands and provide it to the Board.

**2. Minutes from September 21, 2006.** Motion by Lane to approve the minutes from September 21, 2006 as submitted. Seconded by Beauregard. Vote: All in favor.

Motion by Beauregard to adjourn. Seconded by Lane. Vote: All in favor. Meeting adjourned at 9:05 p.m.

Submitted by,

Sara H. Carbonneau  
Town Planner