

**SWANZEY PLANNING BOARD MINUTES
JANUARY 4, 2007**

[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 January 4, 2007 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, Victoria Barlow, Selectmen's Representative Deb Davis and alternates David Osgood, Jeanne Thieme and Steve Russell. Russell was seated for Richard Lane and Thieme was seated for Charles Beauregard, Sr. Town Planner Sara Carbonneau was also present. The agenda for the evening's meeting was read and the following matters were addressed:

A. PUBLIC HEARINGS –

1. 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. Continued from December 21, 2006. Rob Hitchcock from SVE Associates appeared before the Board on behalf of the Application. Also present on behalf of the applicant were Marty Reyes and Charles Beauregard, Jr. Numerous abutters and interested citizens were present. Public hearing opened.

Carbonneau stated that the homeowners' association documents have been reviewed by Town counsel and that the changes recommended by Town counsel have been incorporated into the documents (revised through 1/3/07).

Page noted that Town counsel raised concerns about the how the open space would be utilized or maintained, with counsel noting her recent involvement with a community wrestling with the issue of whether or not open space could be clear cut. Page suggested that the Town should hold the conservation easement on the property, as that may alleviate concerns about the access, use and/or management of the open space.

Barlow noted that the Open Space Committee has discussed, in general terms, the Town holding easement or fee title to property. Barlow

stated that there has been some hesitation by the Town to assume the responsibilities of an easement or property holder due to liability concerns, lack of staffing, monitoring, etc. Conservation Commission Chair Steve Stepenuck stated that the Con Comm currently has some responsibilities for monitoring easements and he thought that the Con Comm would be willing to assume responsibility for monitoring an easement on this property.

Stepenuck felt that outright ownership of the open space areas would be the best solution, providing a guaranty that the property would remain open to the public and would be maintained properly (ensuring that a forestry management plan would be put in place). It was suggested that if the Town owned the parcel, the Monadnock Conservancy may be more willing to hold a conservation easement on the property. Page suggested that the developers' attorney draft a proposal with the Town either holding an easement or owning the property, outright.

Page reviewed a memorandum dated January 2, 2007 from interested citizen Grace Lilly. Lilly stated that many of her concerns raised in questions 1 through 12 have been addressed by the discussions earlier this evening.

Reyes stated that it is anticipated that the development would be constructed in 3 phases over a period of 3 years; constructing approximately 8 houses per year.

G. Lilly and abutting property owner Craig Lougee stated that they felt that this development would negatively affect the rural character of the area, citing the impacts of noise, lights and traffic. Code Enforcement Officer Jim Weston stated that approximately 6 houses have been built on Talbot Hill Road over the past two years.

G. Lilly inquired as to how many other dead end streets of this length have new developments. Page stated that a recent example is Forest View Estates where 72 condominium units are in the process of being built. Russell expressed concern that the Town should not continue to develop or extend dead end roads and suggested that it should consider extending Talbot Hill Road to East Shore Road.

Lougee inquired if the applicant would be required to improve Talbot Hill Road. Page noted that neither the traffic consultant, Police Chief nor the DPW Director expressed concern about the condition of Talbot Hill Road. Lougee stated that there are areas of the road that have an 11% grade and that 11% grades exceed current road construction standards.

Carbonneau noted that revised plans have yet to be received by her office. She noted that Town counsel has strongly recommended that no conditional approval be granted until such plans are in hand and approved by the Board and the Town's engineer.

With respect to the wetlands permit application, Carbonneau also noted that Town counsel did not have any issue with the Board granting

a conditional approval pending approval of the wetlands permit. Town counsel provided specific language for any such conditional approval regarding the wetlands permit application in her letter dated January 4, 2007.

Osgood questioned whether Town should be responsible for the maintenance and repair of the cisterns and detention ponds, especially since the cisterns serve more than the subdivision. Carbonneau stated that it was her recollection that this issue was discussed previously and that it was determined that it should be the responsibility of the homeowners' association. Board members asked that she double check this with the Fire Chief and Board of Selectmen.

Motion by Self to continue this matter without further notice to January 18, 2007. Seconded by Fuerderer. Vote: All in favor.

2. Design Review Phase – Mian Swanzey Realty, LLC wishes to construct a hotel, gas station, convenience store and car wash on the premises situated at 163 Monadnock Highway and shown at Tax Map 19, Lot 68 situated in the Business Zoning District. SVE Associates, on behalf of the applicant, submitted a letter requesting that this matter be continued without further notice to February 15, 2007 without further notice. Motion by Fuerderer to continue this matter without further notice to February 15, 2007. Seconded by Self. Vote: All in favor.

B. OTHER BUSINESS/DISCUSSIONS –

1. Minutes from December 21, 2006. Carbonneau noted that the minutes state that Jeanne Thieme was present and was seated for the Canyon Estates public hearing. The minutes should be corrected to reflect that Thieme was not present at the meeting and was not seated for the Canyon Estates public hearing. Carbonneau also noted that the map and lot number for Robyn Romano's property should be corrected to read Map 13, Lot 7. Motion by Barlow to approve the minutes from December 21, 2006 as amended. Seconded by Self. Vote: All in favor.

2. Forest View Estates (Map 79, Lot 6). Carbonneau stated that a revised plan for Forest View Estates has been submitted to the Town. This plan updates the title block to reflect current ownership and also indicates the status of building construction. Carbonneau noted that this revised plan is needed for the approval of the condominium documents by the Attorney General's office. Motion by Self to authorize Page to sign the revised plan. Seconded by Davis. Vote: All in favor with the exception of Russell who voted against the motion.

3. Keene Tree Service/Port-O-Lite. Winn Johnson appeared before the Board to discuss a potential purchase of property now owned by P/L Limited Partnership (Port-O-Lite). Johnson was informed that the

property in question is located in the Business Zoning District and was advised to review the zoning ordinance for permitted uses. It was noted initial research by SVE Associates (Russ Huntley, licensed land surveyor) indicates that the road to the cemetery may be a Town road, providing additional frontage for Port-O-Lite. Carbonneau noted that further research regarding this matter was needed.

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

Submitted by,

Sara H. Carbonneau
Town Planner