

**SWANZEY PLANNING BOARD MINUTES  
JULY 19, 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 July 19, 2007 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, Charles Beauregard, Sr., Selectmen's Representative Nancy Carlson and alternates David Belletete and David Osgood. Belletete was seated for June Fuerderer and Osgood was seated for Steve Russell. Town Planner Sara Carbonneau was also present. The agenda for the evening's meeting was read and the following items 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 Osgood. Vote: All in favor.

**A. PUBLIC HEARINGS –**

**1. Subdivision Application** – Joanne Barnes and Donald Ray Leonard, Jr. wish to subdivide Tax Map 57, Lot 64 into 2 lots. The subject premises are located on Spring Street and situated in the Residence and Business Zoning Districts. Tax Map 57, Lot 64 currently consists of 2.07 acres. The proposed lots will be 1.0 acres and 1.07 acres. David Mann, licensed land surveyor, appeared before the Board. No abutters were present. Public hearing opened.

Mann stated that the property currently has two residences on it. Each proposed lot would have the required frontage and acreage required in the district. Mann stated that the proposed subdivision would provide that each residence would be located on a separate lot. In addition, Mann noted that the terms of the will of Virginia Leonard would be satisfied regarding the division of the property if the subdivision was granted.

Carbonneau noted that state subdivision approval was not required as the properties are connected to public sewer. Public hearing closed.

Motion by Self to grant the subdivision. Seconded by Belletete.  
Vote: All in favor.

**2. Multi-Tenant Application** – TTS Group, agent on behalf of Adventure Limousine wishes to use a portion of the premises situated at 345-349 Monadnock Highway for a business consisting of limousine rentals. The property is shown at Tax Map 16, Lot 21 situated in the Business Zoning District. The property is owned by Paul Thomas, et al. Peter Allen, owner of Adventure Limousine, appeared before the Board. No abutters were present. Public hearing opened.

Allen stated that the business consists of 3 airport vehicles (sedans), 2 limousines and 2 taxis. Beaugard inquired as to where the limousines will be parked, as he noticed that the parking lot was very congested when he passed by recently. Allen stated that the limos will be parked in the northerly parking lot at the end of the building. Also, employees will park in the northerly parking lot. In addition, Allen stated that Adventure will have 3 spaces immediately in front of the building dedicated to his business. Public hearing closed.

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

- a. review and approval by the Code Enforcement Officer and the Fire Inspector;
- b. subject to the condition that the limousines are only parked in the northerly parking lot; and
- c. subject to the condition that the only business vehicles are: 2 limousines, 3 airport vehicles (sedans) and 2 taxis.

Seconded by Self. Vote: All in favor.

**3. Multi-Tenant & Sign Applications** – TTS Group, agent on behalf of Hannah's Closet, wishes to use a portion of the premises situated at 345-349 Monadnock Highway for a business consisting of used clothing sales and sales of used children's furniture. The property is shown at Tax Map 16, Lot 21 situated in the Business Zoning District. The property is owned by Paul Thomas, et al. Tina Labarre, owner of Hannah's Closet, appeared before the Board. No abutters were present. Public hearing opened.

LaBarre stated that she plans on occupying the space at the southerly end of the building. LaBarre noted that she has 8 parking spaces dedicated to her business in the parking lot to the front of the building. LaBarre stated that she is the only "employee" of the business.

LaBarre stated that she wishes to have a sign on the existing sign standards consisting of 32 square feet. In addition, LaBarre was requesting a sign on the building consisting of 16 s.f. Public hearing closed.

Motion by Beaugard to grant the multi-tenant application and the sign applications subject to review and approval by the Code

Enforcement Officer and the Fire Inspector. Seconded by Osgood. Vote: All in favor.

**4. Modification to Previously Approved Site Plan** – Rymes Heating Oils, Inc. (Monadnock Fuels) wishes to increase the amount of product stored on the premises from 80,000 gallons (in 4 tanks) to 120,000 gallons (in 3 tanks). In addition, the applicant seeks to confirm the footprint of the building at 6,240 s.f. The property is situated at 599 Sawyer’s Crossing Road and is shown at Tax Map 55, Lots 2-1 and 2-2 situated in the Commercial/Industrial Zoning District. John Rymes appeared before the Board. Abutter Michael Murphy was present. Public hearing opened.

Carbonneau provided Rymes with a copy of a letter from Greg Johnson dated July 19, 2007. Board members also reviewed this letter.

John Rymes stated Rymes wishes to install 3 tanks with a total of 120,000 gallons of product versus the 4 tanks with a total of 80,000 gallons of product (as originally approved by the Planning Board). John Rymes disputed whether the original approval was for 80,000 gallons versus 120,000 gallons. Carbonneau noted that the record indicates that the applicant represented at the Planning Board application acceptance meeting held on March 16, 2006 that there would be 4 tanks with 80,000 gallons of product.

Fire Inspector Ron Fontaine was present and indicated that he was not previously involved in the review of this matter during the 2006 public meetings/hearings, as it was handled exclusively by the former Fire Chief. Fontaine stated that the Fire Department does not have the capacity to extinguish a fire if the 80,000 gallons ignites, noting that the only Class B foam is located at the Swanzey Center Fire Company. Fontaine also stated that he did not know how much Class B foam was available in the area.

John Rymes stated that the plans submitted to the Department of Environmental Services had been approved by the State Fire Marshal’s office for the 120,000 gallon capacity. In addition, John Rymes stated that the 120,000 gallon capacity had been approved by the Code Enforcement Officer Jim Weston. Weston stated that he had not approved the capacity, but rather a building permit to allow the foundation to be installed.

Carbonneau noted that the approval by the State Fire Marshal’s office indicates compliance with minimum standards only. She reminded the Board that the “authority having jurisdiction” (Fire Department) has the ability to render decisions that go above and beyond the minimum standards if special conditions or circumstances are present.

Page noted that the containment capacity in the event of a spill is 183,960 gallons. Page further stated that he is fine with the containment capacity, but would defer to the Fire Department regarding the amount of product stored on the premises.

Fontaine again stated that he has concerns about fire suppression on site. In addition, Fontaine stated that he is also concerned regarding the water supply available, as there may be reduced water supply available when the dam is removed. Fire Chief Robert Symonds was present and re-affirmed Fontaine's position that the Fire Department does not have the equipment to deal with 80,000 gallons of product. Both Fontaine and Symonds stated that they were not happy with the proposal to increase the amount of product to 120,000 gallons.

Osgood stated that it was extremely unlikely that the tanks would catch on fire, noting that the loading rack area was protected by a two hour fire wall. It was suggested that a suppression system for the loading rack area be installed to further contain any fire in the loading rack area. Osgood also stated that there was little difference between 80,000 gallons and 120,000 gallons vis a vis the Fire Department's inability to put out a fire in the tanks. Public hearing closed.

Motion by Osgood to permit the applicant to increase the number of tanks to 4, with a total of 120,000 gallons of product stored, subject to the condition that the applicant work with the Fire Department to come up with a fire suppression system for the loading rack area. Seconded by Self. 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. Site Plan Review Application** – David Roy & Janet Roy wish to utilize the property for a logging business (home office, location to perform routine maintenance on his equipment; storage of trucks; future garage; and storage and processing of wood). The property is situated at 49 Spring Street and shown at Tax Map 57, Lot 72 situated in the Residence and Business Zoning Districts. David and Janet Roy appeared before the Board. No abutters were present. Self stepped down from the table as he is an abutter.

Page reviewed the approval granted by the ZBA on September 18, 2006, noting the conditions of approval. Page also noted that the site plan shows a 40 foot by 60 foot garage to be constructed in the future. In the event that the Roys do want to construct this garage, they will need to come back to the Planning Board for a public hearing regarding the same.

D. Roy stated that he has a log truck which varies as to the amount of time that it spends on site; a skidder (that D. Roy noted was on the premises for the first time in 2 years) and a fellowbuncher (that D. Roy stated was on the premises for the 2<sup>nd</sup> time this year). D. Roy noted that the sawmill that was originally shown on the site plan is no longer there.

Self stated that he will not be present at the public hearing, but wanted the Board to know that he does not object to the granting of the site plan. Self noted that the business has been located there for many years and he has not had any problems with it.

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

Self returns to his seat at the table.

**2. Discussion** with David Cairns from Pilgrim Pines. Cairns stated that Pilgrim Pines wishes to construct a 10 foot x 12 foot storage structure to be located behind the existing Chapel. Cairns stated that he knew that they would need to obtain a building permit. However, Pilgrim Pines was hoping that the Planning Board would waive the requirement that they undergo site plan review. Cairns stated that the storage building would not have water or power running to it and would be used solely for the storage of chairs, etc.

Motion by Self to waive the requirement that the placement of the structure undergo site plan review, subject to the condition that Cairns/Pilgrim Pines draws the location of the structure on the existing approved site plan. Seconded by Belletete. Vote: All in favor.

**3. Update** regarding commercial building projects by Code Enforcement Officer Jim Weston. (Dr. Hastings' dental office; Cheshire Horse; Carlisle Wideplank Flooring; and State of NH – DOT)

**4. Minutes from July 5, 2007.** Motion by Osgood to approve the minutes from July 5, 2007. Seconded by Belletete. Vote: All in favor with Carlson abstaining.

Motion by Osgood to adjourn. Seconded by Beauregard. Vote: All in favor. Meeting adjourned at 8:40 p.m.

Submitted by,

Sara H. Carbonneau  
Town Planner