

**SWANZEY PLANNING BOARD MINUTES
FEBRUARY 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, Charles Beauregard, Sr. (arriving at 7:10 p.m.), Selectmen's Representative Robert Beauregard and alternates Victoria Barlow and David Osgood. Osgood was seated for Scott Lambert. 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 – T.F. Moran, agent on behalf of Stephen & Joan Pappas, wishes to subdivide Tax Map 72, Lot 51 into 2 lots. The subject premises are located on Route 10 and situated in the Business Zoning District. The proposed lots will be 1.5150 acres and 5.9782 acres. Tom Duffield and Steve Pappas appeared before the Board. No abutters were present. Public hearing opened.

Duffield reviewed the plans before the Board. Carbonneau noted that the Land Use Office has plans on file stamped by Certified Wetlands Scientist Tom Forest. Duffield stated that Forest would stamp the final plans submitted for recording. Duffield noted that the access to the small lot would be off of South Winchester Street. It was noted that each lot has the required minimum acreage (including "uplands") and frontage. Public hearing closed.

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

2. Site Plan Review Application – Larry Koch wishes to construct 72 units of multi-family housing on a parcel of land consisting of 24.08 acres (formerly part of Tax Map 79, Lot 6), located off of California Brook Road. The property is located in the Rural/Agricultural Zoning District. Larry Koch, Attorney Michael Bentley and John

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Doughty (surveyor) appeared before the Board. No abutters were present. Public hearing opened.

Doughty briefly reviewed the status of the project before the Planning Board. Page stated that he felt that the landscaping plan presented meets the intent of the Site Plan Review Regulations. Barlow stated that the plans do not meet the letter of the regulations. Koch and Doughty stated that a waiver is being requested.

In addition, Page stated that the Fire Chief made the determination that the units did not need to have a sprinkler system installed. Further, Page stated that the determination as to whether or not the units will be sprinklered is not a Planning Board decision.

Carbonneau stated that the plans presented on February 2, 2006 incorrectly indicate that the units will be sprinklered. In addition, the plans do not show how water and sewer will be run to some of the buildings. Koch stated that the final configuration of the water lines will be subject to approval from the State of New Hampshire Water Supply Engineering Division. Koch further stated that DES does not issue permits to construct the community water supply system – DES simply issues a license to operate the system. Code Enforcement Officer Weston inquired if perimeter drains will be installed, as none are indicated on the plans. Koch stated that he was not sure if perimeter drains will be installed.

Carbonneau also noted for the Board that the interior road construction does not meet the requirements of the DPW Director for road width (Dunham is requiring 22 feet for the Town road and the interior road is only 20 feet wide). In addition, Carbonneau noted that the parking spaces along the interior loop road are only 8 feet wide, whereas the size requirement contained in the regulations is 9 feet wide.

Carbonneau stated that no written information has been provided regarding the upgrades to the sewer system pumps or the timetable for such upgrades. Bentley discussed the Agreement between California Brook Estates and Koch regarding the sewer connections. Bentley stated that the Agreement would be corrected to note that no further sewer connections would be made as specifically set forth in the Zoning Board of Adjustment's approval of the special exception.

The Board discussed bonding for the interior road construction, water supply, sewer connections and drainage. The consensus of the Board was that the applicant needs to provide a phasing plan first. R. Beauregard felt that after review of the phasing plan, the Board may be in a better position to determine if bonding it is necessary. Bentley stated that bonding of the improvements was not "an issue for the Town of Swansey." Carbonneau disagreed, stating the Town Counsel had recommended that the improvements be bonded.

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R. Beauregard also stated that he felt that it was important for the Board and Town Counsel to have the opportunity to review and approve the condominium documents.

Lane stated that Koch has a good track record with prior developments in Town.

Koch noted that the minutes of February 2, 2006 should be corrected to note that each unit will have a full basement.

Motion by Osgood to approve the site plan review application subject to the following conditions:

1. Final plans to be submitted with the following revisions:
 - a. water connections to all units shown;
 - b. sewer connections to all units shown;
 - c. notation on the plans that the final configuration of the water supply and connections to the building is subject to approval from the State of New Hampshire Water Supply Engineering Division;
 - d. statements that the buildings are to be sprinklered are to be removed; and
 - e. details regarding the striping separating the sidewalk from the travel way are to be shown on the plans.
2. A construction phasing plan is to be prepared by the applicant and submitted to the Board for review and approval; and
3. A complete set of condominium documents is to be submitted to the Board and Town Counsel for review and approval.

Seconded by Self. Vote: All in favor.

Motion by Self to waive strict compliance with the landscaping requirements as contained in the Site Plan Review Regulations subject to the condition that the landscaping plan as presented will be adhered to and that there will be a minimum of 18 3” caliper trees in the area shown on the plan as “recreation area.” Seconded by Beauregard. Vote: All in favor.

3. Multi-Tenant Application – Toby DeBattiste wishes to use a portion of the premises situated at 935 West Swanzey Road for a business consisting of automobile sales. The property is shown at Tax Map 87, Lot 3 situated in the Business Zoning District.

4. Free-Standing Sign Application – Toby DeBattiste wishes to install a free-standing sign on property situated at 935 West Swanzey Road.

Items #3 and #4 needed to be continued, as the applicant has yet to receive a special exception from the ZBA. Motion by Self to

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continue consideration of Items #3 and #4 to April 6, 2006. Seconded by Fuerderer. Vote: All in favor.

5. Multi-Tenant Application – Dan LaCroix wishes to use a portion of the premises situated at 140 Monadnock Highway for a business consisting of the sales, installation and repair of audio equipment. The property is shown at Tax Map 18, Lot 69 situated in the Business Zoning District. The property is owned by Kenneth Bergeron. **Note:** Application was withdrawn at the request of the applicant.

B. DISCUSSIONS –

1. Lane Construction (Jennings Pit, Tax Map 13, Lot 11) – Update of status of excavation and request to renew excavation permit. Carbonneau stated that the excavation permit expires on March 4, 2006 and Lane Construction Corp. is seeking a 2 year renewal of the permit (to coincide with reporting requirements pursuant to the Site Specific Permit).

Osgood inquired if the conditions contained in the existing permit have been complied with. Carbonneau stated that she has not received any complaints or other information indicating that the conditions have not been complied with.

Motion by R. Beauregard to renew the excavation permit for an additional two years, said permit to expire on March 4, 2008. Seconded by Lane. Vote: All in favor.

2. Minutes of February 2, 2006. Motion by Fuerderer to approve the minutes from February 2, 2006, noting the correction raised by Koch that the condominium units would have full basements. Seconded by Osgood. Vote: All in favor.

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

Submitted by,

Sara H. Carbonneau
Town Planner