

**SWANZEY PLANNING BOARD MINUTES
OCTOBER 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 October 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, June Fuerderer, Scott Self, Charles Beauregard, Sr., Victoria Barlow and alternates David Osgood and Jeanne Thieme. Osgood was seated for Steve Russell. Town Planner Sara Carbonneau was also present. The agenda for the 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 Fuerderer that no items on tonight’s agenda could be reasonably construed as having the potential for regional impact. Seconded by Beauregard. Vote: All in favor.

A. PUBLIC HEARINGS –

1. Site Plan Review – Arnold & Mary Johnson wish to utilize the existing structures situated on the premises for multi-family housing (a total of 3 residences located within 2 buildings). The property is located at 49 Old Homestead Highway, shown at Tax Map 37, Lot 32 situated in the Business Zoning District. A. Johnson appeared before the Board. No abutters were present. Public hearing opened.

A. Johnson provided photographs of the site. Johnson stated that there are two buildings on the lot. The building closest to Route 32 is a one-family rental unit; the building to the rear of the lot was formerly a counseling center. A. Johnson stated that they wish to convert the former counseling center to a two-family dwelling.

A. Johnson stated that a total of 12 parking spaces will serve the three dwelling units. Areas not dedicated to parking will be yard areas for each unit.

A. Johnson stated that there will be an office on the first floor of the rear building (in addition to the first floor apartment). A. Johnson stated that the office will be for the rental properties (meeting with

potential tenants, housing supplies, etc.) as well as for the storage of records for the former counseling center.

Carbonneau noted for the record that the properties are connected to public water and sewer. Public hearing closed.

Motion by Beauregard to grant the site plan application subject to review and approval by the Code Enforcement Officer and the Fire Inspector. Seconded by Osgood. Vote: All in favor.

2. Subdivision Application - Robin L. Florence wishes to subdivide Map 71, Lot 8 into 2 lots. The subject premises are located at 888 West Swanzey Road and situated in the Business Zoning District. Tax Map 71, Lot 8 currently consists of 2.786 acres. The proposed lots will be 1.657 acres and 1.129 acres. Paul Grasewicz from Graz Engineering (surveyor) appeared before the Board on behalf of the Applicant. No abutters were present. Public hearing opened.

Grasewicz reviewed the history of the property with the Board. Grasewicz stated that the property had been subdivided in 1986, with the lots being merged in 1997. Grasewicz provided the Board with documentation from NH-DES Sub-surface Systems Bureau confirming that the State Subdivision Approval granted in 1986 was still valid.

Board members noted that the acreage and the frontage for the proposed lots met all zoning regulations. Carbonneau noted that Lot 8-1 as shown on the map should be corrected to Lot 8-2.

Carbonneau stated that she has written documentation from the property owner that "Tomorrow's Antiques" is no longer in operation. However, the sign is still located on the property. Carbonneau felt that the removal of the sign should occur, since the business was no longer located on the premises.

Grasewicz stated that the applicant has applied for a special exception in order that the new lot may be used for a single-family residence. Grasewicz further stated that in the event that the special exception is denied, the applicant still wishes to subdivide the property. Public hearing closed.

Motion by Self to grant the subdivision application subject to the condition that the signage for "Tomorrow's Antiques" be taken down. Seconded by Osgood. Vote: All in favor.

3. Application for Boundary Line Adjustment between Tax Map 41, Lots 9-2, 9-3 and 1. Tax Map 41, Lots 9-2 and 9-3 are currently owned by the Jeannette Rondeau Revocable Living Trust; Tax Map 41, Lot 1 is owned by John and Mary Beth Coughlin. The boundary line adjustment seeks to adjust the boundaries for Map 41, Lots 9-2 and 9-3, resulting in each lot to consist of approximately 1+ acre and conveying the remainder (approximately 17+ acres) to become part of Map 41, Lot 1. The properties are situated off Eaton Road and located in the Residence and Rural/Agricultural Zoning Districts. Greg Curry, realtor, presented the

application on behalf of the applicant. Numerous abutters were present. Public hearing opened.

Curry stated that the property currently consists of 2 lots, one being approximately 1/3 acre and the other being 19 acres. Each lot is considered to be a buildable lot, as they meet the savings clause in the zoning ordinance. The boundary line adjustment creates two lots each consisting of approximately 1 acre, with the remaining property to become part of Map 41, Lot 1 (currently owned by Coughlins).

Carbonneau stated that even though the application is for a boundary line adjustment, NH Subsurface System's Bureau requires state subdivision approval.

Carbonneau further stated that any approval should be conditioned upon the boundary line adjustment deed to Coughlins being recorded at the same time as the plat. Public hearing closed.

Motion by Osgood to grant the boundary line adjustment application subject to the following:

1. The boundary line adjustment approval will not be final until the signed deed conveying the property to John R. Coughlin, Jr. and Mary Beth Coughlin has been conveyed to the Town for recording, together with the appropriate recording fees for recording the deed. This deed must include language that the parcel conveyed will become part of Tax Map 41, Lot 1; and

2. Receipt of State subdivision approval.

Seconded by Beauregard. Vote: All in favor.

4. Multi-Tenant Application - Nicolas Gladke wishes to use a portion of the premises situated at 117 Monadnock Highway for the retail sale of hot tubs. The property is shown at Tax Map 18, Lot 87 situated in the Business Zoning District. The property is owned by Faham Effendi. Carbonneau informed the Board that the applicant has requested a continuance to October 18, 2007. Motion by Beauregard to continue this matter without further notice to October 18, 2007 at 7:00 p.m. Seconded by Fuerderer. Vote: All in favor.

5. Multi-Tenant Application - Katie Aubre & Panos Eliopoulos wish to use a portion of the premises situated at 140 Monadnock Highway for an adult retail business. The property is shown at Tax Map 18, Lot 69 situated in the Business Zoning District. The property is owned by Kenneth Bergeron. Aubre and Eliopoulos appeared before the Board. No abutters were present. Public hearing opened.

Aubre stated that they wish to occupy a portion of property that was formerly occupied by Wes' Discount. The applicants had provided the Board with letters from the other tenants on the property indicating their support of the application.

Swanzy Police Chief Busick was present. Busick stated that he had spoken with the applicants regarding the business and did not

foresee a problem with the business as proposed. Busick noted that he would be concerned if video viewing booths were part of the proposal. However, this is not part of the proposal.

Busick stated that the applicants also have a similar business in Winchester, NH ("Phat Stuff"), which has been in operation for over 5 years. Busick stated that he was not aware of any problems generated by that business.

Aubre stated that everyone who enters the store will be required to show identification. In addition, the adult products will be kept in a separate area and will not be visible upon entering the store.

Aubre stated that the main part of the store will have clothing, incense, Buddhas, tapestries, smoking paraphernalia and other merchandise for sale. Busick noted that he would like to see the Town adopt an ordinance prohibiting the sale of smoking paraphernalia. However, this ordinance has not yet been proposed or adopted.

The hours of operation as proposed are Sunday through Thursday from 11 a.m. to 7 p.m. and Friday and Saturday from 11 a. to 8 p.m. The application was corrected to reflect the same.

Carbonneau stated that the proposal for an adult business met the requirements of the zoning ordinance.

Aubre stated that they are in the process of developing the sign for the property and will return at a later date with a sign application. Aubre stated that the sign will not state that it is an adult retail business. Public hearing closed.

Motion by Self to grant the multi-tenant application subject to review and approval by the Code Enforcement Officer and the Fire Inspector. Seconded by Osgood. 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. Subdivision Application - Irma L. Dunn wishes to subdivide Tax Map 63, Lot 8 into 2 lots. The subject premises are located off Winch Hill Road and situated in the Rural/Agricultural District. Tax Map 63, Lot 8 currently consists of 28.82 acres. The proposed lots will be 23.69 acres and 5.13 acres. Irma Dunn appeared before the Board. Abutting property owner Anna King was also present.

Dunn stated that she wishes to subdivide her property situated off Winch Hill Road. This will be a rear lot subdivision, with each lot meeting the minimum frontage and acreage requirements under the zoning ordinance. Carbonneau noted that state subdivision approval was not required as both lots are in excess of 5 acres.

Motion by Self to accept the application as complete. Seconded by Fuerderer. Vote: All in favor.

C. DISCUSSIONS/OTHER BUSINESS –

1. Minutes from September 20, 2007. Beauregard stated that Item 1.A. should be corrected to read “specifically,” not “specially.” Motion by Beauregard to approve the minutes from September 20, 2007 as amended. Seconded by Fuerderer. Vote: All in favor.

2. Page updated the Board on recent correspondence to Faham Effendi re 117 Monadnock Highway. Page stated that a live septic tank is located under the floor of the building and must be removed before new tenants move in.

Motion by Beauregard to adjourn. Seconded by Osgood. Vote: All in favor. Meeting adjourned at 8:15 p.m.

Submitted by,

Sara H. Carbonneau
Town Planner