

**SWANZEY PLANNING BOARD MINUTES
MARCH 20, 2008**

[Note: Minutes are not final until reviewed and approved by the Board. Review and approval generally takes place at the next regularly scheduled meeting of the Board.]

The regular meeting of the Swanze Planning Board was called to order at 7:00 p.m. by Chair Glenn Page. Members present: Glenn Page, Steve Russell, Scott Self, Charles Beauregard, Sr., Victoria Barlow, Selectmen's Representative Deb Davis and alternates David Osgood and Jeanne Thieme. Osgood was seated for June Fuerderer. Later in the evening David Belletete was elected as an alternate member (term to expire at Town Meeting 2011) and was seated at the table. Town Planner Sara Carbonneau was also present. The agenda for the evening's meeting was read, noting that election of officers would take place at the end of the meeting, and the following matters were addressed:

A. Voting on Alternate Member – One alternate member position is available. Term to expire at Town Meeting 2011.

David Belletete is the sole nominee for this position. Motion by Barlow to appoint Belletete as an alternate member of the Planning Board, term to expire at Town Meeting 2011. Seconded by Russell. Vote: All in favor. Belletete was sworn in as an alternate member by Selectman Davis.

Regional Impact: Board members considered whether any items on the agenda could “reasonably be construed as having the potential for regional impact.” Motion by Beauregard that no items on the agenda could be reasonably construed as having the potential for regional impact. Seconded by Osgood. Vote: All in favor.

B. PUBLIC HEARINGS –

1. Home Occupation Application – Barbara Pierce wishes to utilize the property situated at 15 Young Court for a home occupation consisting of hairdressing salon (1 chair). The property is situated in the Residence Zoning District, shown at Tax Map 18, Lot 272. The applicant also seeks permission to install a free-standing sign. Barbara Pierce appeared before the Board. No abutters were present. Public hearing opened.

Page noted that letters from abutting property owners were provided indicating that they supported Pierce's application. Photographs of the property were reviewed by the Board.

Page reviewed the application, noting that Pierce will have only one chair in her salon. Pierce confirmed that she would not be operating on Wednesdays and Saturdays.

Pierce stated that she is also applying for a sign permit. Pierce brought the sign that was designed by her husband. Page measured the sign, noting that it was less than 4 s.f. Barlow noted that the Town requests that signs have the street number prominently displayed. Pierce stated that the street number is already attached to the house.

Carbonneau noted that Interim Building Inspector Sheaff has been to the property in conjunction with a building permit application for the bathroom that is required by the State licensing board. Public hearing closed.

Motion by Russell to grant the home occupation application subject to review and approval by the Fire Inspector; and to grant the sign permit application. Seconded by Beauregard. Vote: All in favor.

2. Home Occupation Application – Katherine Feist wishes to utilize the property situated at 261 Eaton Road for a home occupation consisting of counseling services. The property is situated in the Residence Zoning District, shown at Tax Map 49, Lot 6. The property is owned by David Krisch. Krisch appeared before the Board on behalf of Feist. Abutting property owners were present. Public hearing opened.

Krisch stated that the counseling services would be rendered on a part-time basis by Feist. Abutting property owners (Colemans) were present and stated that they were in support of Feist's application. Krisch stated that the hours would need to be flexible, as much as possible, to accommodate clients' needs. Page stated that the application should be amended to indicate that services could be rendered on any day of the week. Public hearing closed.

Motion by Russell to grant the home occupation application subject to review and approval by the Fire Inspector. Seconded by Osgood. Vote: All in favor.

3. Site Plan Review Application – Edward & Sharon Thomas wish to construct a new office and maintenance facility for Thomas Transportation. The proposed building will be approximately 8700 s.f. The property is situated off Route 10 and shown at Tax Map 38, Lot 18 situated in the Commercial/Industrial District. David Bergeron from Brickstone Masons appeared on behalf of the Applicant. Also present were: Edward Thomas and Attorney Neil Berkson. No abutters were present. Public hearing opened.

Bergeron reviewed the plans before the Board. It was noted that the property is accessed via an easement over property owned by

Lawrence Realty (Guyette's). Bergeron stated that the site is designed to promote vehicular access, allowing vehicles to travel completely around the building. Bergeron stated that the offices would be located to the front of the building (west side) and that the service bays would be located to the rear of the building. The building would be 8,700 s.f.; paved area would be 29,200 s.f.; the gravel parking area would be 10,000 s.f. resulting in approximately 25% lot coverage.

Bergeron noted that electricity would be brought in from Route 10; water and sewer would be brought in from Matthews Road, noting that an easement would be required over property owned by Matthews Road Realty (SAN).

Bergeron stated that drainage would be handled via drainage swales on the north and south boundaries, directing run-off to a detention basin. Drainage would eventually outlet to the east side of Matthews Road via a culvert. It is hoped that the existing culvert running under Matthews Road would be replaced with a new culvert to the south of the existing culvert. This culvert would empty out onto property owned by Emile Legere and with Legere's approval. Bergeron stated that the drainage analysis indicates that the post-development runoff would be at or below current rates.

Bergeron provided initial architectural renderings, noting that the building would have a red-brick façade on the bottom and slate grey clapboards on top. The roof would likely be dark forest green. Bergeron provided a preliminary code review prepared by DB Architects. In addition, a preliminary floor plan was provided.

Bergeron stated that an alteration of terrain permit would be required. However, no wetlands permit is necessary as there are no impacts to the wetland areas on site.

Board members discussed the rear parking area. Thomas stated that should the parking area to the back of the building be needed, it would be paved. Bergeron stated that the sizing of the detention basin took into account the possibility of paving the rear parking area. Barlow requested that the limits of the rear parking area be delineated by fencing to prevent parking-lot "creep."

Attorney Berkson stated that there is pending litigation between the Thomases and Lawrence Realty regarding the easement providing access. The litigation seeks to establish that the Thomases have the right to pave the access easement. Berkson stated that in the event that the Superior Court decides that the Thomases do not have the right to pave the easement area, then the easement area driveway will be gravel with shur-pac. Public hearing closed.

Motion by Russell to grant the site plan review application subject to the following conditions:

1. Review and approval by Town Counsel of the easements for the water, sewer and drainage lines;

2. Review and approval by the Code Enforcement Officer and the Fire Inspector;

3. That a fence be constructed along the limits of the 10,000 s.f. rear parking area to delineate the limits of the lot;

4. Subject to receipt of the alteration of terrain permit (site specific); and

5. Subject to the condition that the access driveway (over Lawrence Realty's property) be paved unless the Superior Court determines that the access driveway cannot be paved pursuant to the terms of the easement.

Seconded by Beauregard. Vote: All in favor.

4. Multi-Tenant Application – Laurie and Darryl May wish to use a portion of the premises situated at 140 Monadnock Highway for a pizzeria and children's party business. The property is shown at Tax Map 18, Lot 69 situated in the Business Zoning District. The property is owned by Kenneth Bergeron. Laurie & Darryl May and Kenneth Bergeron appeared before the Board. No abutters were present. Public hearing opened.

Bergeron stated that the Mays wish to operate 7 days a week, from 10 a.m. to 9 p.m. They propose to occupy the space formerly occupied by the motorcycle shop, as well as the nail salon (which will be moved within the complex). The Mays estimate that they will have approximately 40 customers per day.

The business consists of a children's party center (similar to Chuck-e-Cheese's) and will provide pizza. The business caters to children aged 2 to 10. The business will be open by reservation only. It was noted that the business would require a food license from the State of NH.

The Mays wish to have a sign at the entrance, approximately 24" x 96" on the existing sign standard. It was noted that a sign application would need to be submitted for the same. The Mays stated that the name of the business is "Going Bananas."

Parking was discussed, with Bergeron noting that there is parking to the rear of the building. In addition, Bergeron noted that the area formerly occupied by Wes' Garden Center is now available for parking. Public hearing closed.

Motion by Russell to grant the multi-tenant application, subject to review and approval by the Code Enforcement Officer and the Fire Inspector. Seconded by Self. Vote: All in favor.

5. Application to modify a previously approved subdivision

submitted by Broadvest Properties, Inc. The applicant wishes to reduce the number of lots in the previously approved subdivision from 18 lots to 7 lots. The property is located off Arrowcrest Drive and shown at Tax Map 20, Lot 153 situated in the Business Zoning District. The applicant

requested a continuance to April 17, 2008 to allow time to respond to the Town Engineer's review letter. Motion by Russell to continue this matter without further notice to April 17, 2008. Seconded by Beauregard. Vote: All in favor.

B. OTHER APPLICATIONS – The following applications are being reviewed for completeness only. Comments will be limited to the completeness of the applications only.

1. Applications for Site Plan Review and Subdivision – Southwestern Community Services (SCS) wishes to construct multi-family housing (38 dwelling units contained within 1 building) on a parcel of land situated off 183 Monadnock Highway. The proposed lot consists of 6.37 acres (as amended – the lot was originally proposed as 6.82 acres) and is a portion of a 15.98 acre parcel shown at Tax Map 19, Lot 66, currently owned by Sandra Page. The property is situated in the Business Zoning District. Page steps down from the table, as his wife is the property owner. Russell assumes the position of Chair. Rob Hitchcock from SVE Associates and Keith Thibault from SCS appeared before the Board. Interested citizens were present.

Hitchcock reviewed the plans before the Board, noting that the original subdivision was proposed as a rear-lot subdivision. However, Hitchcock stated that the plans have been revised to delete the rear-lot, providing both of the proposed lots with at least the minimum 125 feet of road frontage required by the zoning ordinance.

Hitchcock stated that SCS was granted a special exception from the Zoning Board of Adjustment on March 17, 2008 and was granted a variance to reduce the number of required parking spaces from 76 to 44.

Hitchcock stated that the project would be served by public water and sewer. Hitchcock noted that the building would be sprinklered.

Plans reviewed included landscaping, drainage and lighting. Architectural renderings were provided. It was noted that while the buildings would be 3 stories high, the maximum building height would not exceed 45 feet.

Hitchcock stated that permits from NH-DES (including site specific and wetlands permits) would be required. In addition, a driveway permit from NH-DOT is also required. Hitchcock stated that NH-DOT has not indicated that it would require any sort of modifications to the travel lanes on Route 12.

Hitchcock stated that the access driveway will be 20 feet wide and paved. Russell stated that he would like to see accommodations for sidewalks along the access driveway and along Route 12, so that the tenants will be able to walk to convenience stores and other businesses.

Osgood questioned whether there was adequate water pressure flow for fire protection. Hitchcock stated that there appears to be; however, should it not be adequate a pump(s) would need to be installed.

Osgood also questioned whether fire and rescue vehicles could access the property from the rear. At this time, no provisions have been made for such access.

Thibault stated that SCS and other organizations provide transportation services in the area. If transportation is needed, there are services that the tenants can call to arrange for transportation.

Motion by Osgood to accept both the subdivision and the site plan review applications as being complete. Seconded by Self. Vote: All in favor. Page resumes his seat at the table.

2. Subdivision Application – David Bergeron, agent on behalf of John R. Coughlin, Jr., wishes to subdivide Tax Map 49, Lot 1 into 5 lots. The subject premises are located off Eaton Road and situated in the Residence and Rural/Agricultural Zoning Districts. Tax Map 49, Lot 1 currently consists of 37.87 acres. The proposed lots will be 22.98 acres, 2.63 acres, 2.81 acres, 6.00 acres and 3.45 acres. The property is owned by Mary Beth and John R. Coughlin, Jr. Davis steps down from the table due to a possible conflict of interest. David Bergeron from Brickstone Mason was present on behalf of the applicants. Abutting property owners were present.

Bergeron reviewed the plans before the Board. He noted that perc tests have been done on each lot and proposed well radii have been delineated. Bergeron also stated that the wetlands were delineated on the property. Access to all of the lots will be via Eaton Road, with Bergeron noting that proposed lot #2 and Lot #5 will share a driveway. Bergeron noted that he plans to meet with DPW Director Dunham regarding the driveway locations and drainage along Eaton Road. Abutting property owner Nancy Coleman stated that during the prior subdivision application for the property (submitted approximately 5 years ago), Dunham expressed concerns about the amount of water coming off of the hillside and damaging Eaton Road.

Carbonneau noted that information regarding the minimum “dry and flat” acreage requirements is needed on the plans.

Abutting property owner Michael Duffin stated that a prior owner (Manning/American Homes) had wetlands violations on the property and queried whether these wetlands violations were resolved. Bergeron stated that a remediation plan had been submitted by a subsequent property owner (Blanchard) and that the remediation plan was approved by NH-DES. Bergeron stated that the remediation plan was implemented. However, Bergeron did not know if NH-DES ever issued a finding that the file was closed. Bergeron will follow-up on this. Duffin also submitted a copy of a letter from NH-DES dated March 18, 2002 denying State Subdivision approval at that time.

Bergeron requested that the public hearing on this matter be held on Thursday, April 17, 2008 in order to resolve some of the outstanding issues.

Motion by Russell to accept the application as complete subject to the inclusion of the minimum “dry and flat acreage requirements” on the plan and to schedule the public hearing for Thursday, April 17, 2008. Seconded by Self. Vote in favor: Russell, Osgood, Page and Self. Opposed: Beauregard and Barlow. Motion carries.

Davis resumes her seat at the table.

C. DISCUSSIONS/OTHER BUSINESS –

1. Canyon Springs Estates (Map 43, Lot 11) – Request by SVE Associates on behalf of the new owner (Berkshire Construction Company, LLC) to extend subdivision approval to April 5, 2009. Motion by Beauregard to extend subdivision approval to April 5, 2009. Seconded by Self. Vote: All those in favor of the Motion with exception of Russell who voted in opposition to the Motion.

2. Election of Officers – Page was elected Chair; Self was elected Vice Chair.

3. Minutes from March 6, 2008 – Motion by Beauregard to approve the minutes from March 6, 2008 with the sole correction that the applications submitted by SCS (Map 19, Lot 66) were being considered for completeness only and were not in the public hearing portion of the process. Seconded by Osgood. Vote: All in favor, with Self abstaining.

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

Submitted by,

Sara H. Carbonneau
Town Planner