

Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – January 23, 2014

Note: Draft Minutes are subject to review, correction and approval 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 Swanzey Planning Board was called to order at 6:00 p.m. by Chair Glenn Page. Members present: Scott Self, June Fuerderer, Joe Smith, Jeff Goller, Gus Leraudeau, and Alternate Don Skiba. The roll call and agenda for the meeting was read by Chair Page.

Absent: Alternate Jane Johnson, and a representative from the Board of Selectmen.

Others Present: Director of Planning and Community Development Sara Carbonneau, Robert Secord, Pat Fallon, Treasurer of the Pine Grove Homeowner’s Association, Jim Phippard from Brickstone Land Use Consultants LLC, Kevin Flynn, Mr. & Mrs. Michael McGrath, and various members of the public.

Minutes: Minutes from January 9, 2014 were reviewed. **Motion** was made by Goller to accept the minutes. The motion was seconded by Leraudeau. All were in favor. **Motion passed.**

Regional Impact: Board members considered whether any items on the agenda could be construed as having the potential for regional impact. **Motion** made by Fuerderer that no items on the agenda could be reasonably construed as having the potential for regional impact. Second by Smith, no further discussion, and all were in favor of the motion. **Motion passed.**

A. PUBLIC HEARINGS -

1. Site Plan Review Application

Robert Secord wishes to convert an existing structure to a 4 unit apartment. The property is situated at 935 West Swanzey Road and shown at Tax Map 87, Lot 3 situated in the Business District.

Public Hearing opened at 6:01 p.m.

Mr. Secord joined the meeting at 6:01 p.m. to discuss his site plan application for converting an existing structure into a total of four apartments. The property currently has 2 apartments (one being located within the existing house). Secord said the two current units currently have a septic system, and the plan is to replace that with a brand new septic system to service all 4 units. Mr. Secord said he has spoken to the Town of Swanzey Code Enforcement Officer and the Town of Swanzey Fire Chief. He also said that nothing has changed in his application.

Chair Page noted that approval by the Planning Board would be contingent upon Secord signing the agreement with Pine Grove Homeowner's Association for his water supply. Chair asked for questions from the Board. There were no further questions.

Public Hearing closed at 6:04 p.m.

Motion by Lerandeau to approve Robert Secord's plan to convert an existing structure to a 4 unit apartment on property situated at 935 West Swanzey Road and shown at Tax Map 87, Lot 3 situated in the Business District, contingent to Secord signing an agreement with the Pine Grove Homeowner's Association for his water supply. The motion was seconded by Goller and all were in favor. **Motion passed.**

B. OTHER APPLICATIONS -

The following application was considered for completeness only. Comments were limited to completeness of the application only.

1. Site Plan Review Application –

Jacob Sirois wishes to operate a farm as a business. The property is situated in the Rural Agricultural District and shown at Tax Map 28, Lot 3. The property is located off Rabbit Hollow Road.

Carbonneau informed the Planning Board that the applicant was not present due to being in the midst of moving from California to New Hampshire. She also informed the Board that the applicant would attend the public hearing in February to respond to questions.

A question arose as to why the Swanzey Zoning Board of Adjustment (ZBA) continued their hearing on the applicant's request for a Special Exception and Carbonneau said that the ZBA had questions about road access to the property. She noted that the ZBA continued the hearing to February 10, 2014. Chair Page commented that the Sirois property has no road frontage and the ZBA concern is how produce will be transported from the property. Page then stated that the application is not complete because there are unanswered questions about the suitability of the access.

Motion by Self that the application of Jacob Sirois to operate a farm as a business on property situated in the Rural Agricultural District and shown at Tax Map 28, Lot 3 located off Rabbit Hollow Road be continued to February 13, 2014, second by Fuerderer, and all were in favor. **Motion passed.**

C. DISCUSSIONS/OTHER BUSINESS –

- 1. Continued discussions re Nissan of Keene.** Jim Phippard of Brickstone Land Use Consultants LLC joined the meeting at 6:09 p.m. Phippard apologized for the absence of Chuck Dupler, owner of Nissan of Keene auto dealership, and said he was representing that business in place of Dupler. Phippard reviewed the plan that had been approved by the Planning Board on December 5,

2013 in particular addressing issues with lighting and water drainage that impact a neighboring property to the south.

The abutters, Mr. and Mrs. Michael McGrath, have complained to the Town that the lights from the dealership shine into their home at night. A discussion was held regarding adjustments that can be made to the lights with Phippard saying that the adjustments have not been completed since all of the lights have not yet been installed because of cold wintry conditions. He said the plan is that 75% of the lights will shut down by 8:00 p.m. leaving just enough lighting for security purposes.

Phippard also addressed the fact that a fence was to be installed along the property line to the south next to the McGrath property and that was not done due to the cold weather. He said that the fence is scheduled to be installed in April or May as soon as the ground thaws. And he told the Board that the construction company hired to do paving work made some changes to address the drainage into the State of NH right of way. He stated that the work was of "outstanding" quality but it took longer than it should have taken. The drainage ditch was also discussed as was the removal of trees, parking on the grassy hillside, the proposed site for a fuel tank on the back of the property, and the retention pond.

Page commented that just to the west of the retention pond there is erosion of the embankment with water missing the retention pond, heading toward the McGrath property. Phippard said that there will be curbing installed to intercept any snow melt. Page asked about this winter since snow is being stored in that area now. Phippard said that curbing is on the list to be done in the spring. There was a brief discussion about the ability to pave in cold weather conditions. The Page noted that the snow pile will generate a lot of water by springtime.

Phippard said he would consider a temporary solution. Page said one solution would be to relocate the snow pile. Discussion continued about whether curbing will stop water given the elevation of the parking lot (above the McGrath property). Skiba suggested concrete blocks could be placed in the area as a temporary solution. Phippard acknowledged that hay bales or concrete blocks could prevent water from flowing to the McGrath property as temporary fix.

Discussion regarding the lights, Phippard said that the fine-tuning hasn't yet been done. Phippard said that he would call Dupler stating that the lights need to be adjusted now instead of waiting until all lights are installed. Page said the place is well lit now. And Self said that if they are using them, they should be adjusted. Phippard will update Carbonneau next week.

Lerandeau asked for a date when the paving would be done. Phippard responded that the paving would be done by June 1, 2014. Phippard said he will come up with a plan in writing for a temporary fix to the issues discussed this evening and relay the plan to Carbonneau.

Carbonneau said that the snow pile should be moved to the north end of the property. Phippard said it should take a couple of weeks for a temporary fix to the water drainage issue: hay bales, concrete wheel stops, 6 feet long precast concrete with hay bales. Self suggested the

work be done right away, and the next time the Board meets photos can be reviewed of what work has been done for the temporary fix. Page said to remove the snow tomorrow.

Lerandeau asked Phippard for a notice in writing to the Planning Board should another change in the plan occur. Page said the plan is fine, but the execution of the plan leaves a lot to be desired. Phippard will either attend the next Planning Board meeting on February 13, 2014 or provide a written report ahead of time (with photographs) reporting on the temporary fix and adjusting the lights.

- 2. Kevin Flynn wishes to discuss the potential use of property situated at 3 Whittemore Farm Road for a flea market business.** – Kevin Flynn addressed the Board stating he would like to operate a flea market on land between T-Bird gas station on State Route 10 and The Cheshire Horse store on Whittemore Farm Road and State Route 10. He was present tonight to learn what he needs to do in order to complete an application for that kind of business and to determine its viability.

Page told Flynn that he needs a to-scale site plan, survey map, showing driveway access to the lot, the position of tables, porta-potty location, and other details. A discussion was held regarding the ability of the existing driveway on the property to accommodate cars coming and going to the lot and the fact that a left turn off of Whittemore Farm Road onto State Route 10, heading north, is difficult and might require a traffic cop should the business prosper.

Flynn noted that there are no wetlands on the property; the land has been filled in. Carbonneau mentioned times of operation might be a factor to consider. Flynn asked about having food vendors on the premise and Carbonneau informed him that licenses from the State of New Hampshire for food services would be required, and they would need electricity for their carts and inspection from the Fire Department. It was also noted that trash cans and dumpsters need to be maintained so Flynn should also address that in his plan. Flynn said he would get his plans together and submitted in order to return to the Board for approval.

- 3. Other business as may be required -**

Carbonneau noted that the Deliberative Session is February 4, 2014 at 7:00 pm at the High School.

Motion to adjourn was made by Lerandeau, seconded by Fuerderer, with all in favor. **Motion passed.**

Adjournment occurred at 6:55p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary