

**SWANZEY PLANNING BOARD MINUTES
FEBRUARY 9, 2012**

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, Joe Smith, Jeff Goller, Jeanne Thieme and Selectmen's Representative Deb Davis. Town Planner Sara Carbonneau was also present. The agenda for the meeting was read and the following matters were discussed:

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

A. PUBLIC HEARINGS -

1. Multi-Tenant Application - Gregg Whitcomb wishes to use a portion of the premises situated at 140 Monadnock Highway for a business consisting of a takeout and delivery café. The property is shown at Tax Map 18, Lot 69 situated in the Business District. The property is owned by Kenneth Bergeron. Carbonneau informed the Board that the applicant has withdrawn his Multi-Tenant Application.

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 - Richard Drew, agent on behalf of Richard & Barbara Pullen, wishes to subdivide Tax Map 67, Lot 2 into 2 lots. The subject premises are located on Atkinson Hill Road and situated in the Rural/Agricultural District. Tax Map 67, Lot 2 currently consists of 94.6 acres. The proposed lots will be 3.00 acres and 91.6 acres. Richard Drew stated that the Pullens wish to subdivide a 3 acre lot off of Map 67, Lot 2. Drew stated that the property is subject to a conservation easement held by the Monadnock Conservancy. As part of the easement, the Pullens reserved the right to subdivide in order to create one lot. Drew noted that State subdivision approval has been granted. There were no questions or comments from the Board. Page asked the Board if they felt the application was complete. Motion by Smith to approve the Subdivision Application as complete. Seconded by Fuerderer. Vote: All in favor.

C. DISCUSSIONS/OTHER BUSINESS –

1. Request for Extension of Subdivision Approval - Edon Tap requests a one-year extension of the subdivision approval for property situated off Talbot Hill Road, shown at Tax Map 43, Lot 11. (Current approval expires on 4/5/12.) Page noted that while this is a public meeting, it is not a public hearing. Carbonneau informed the Board that conditional approval was given in April 2007 and that extensions have been granted every year since then. Carbonneau reviewed outstanding items required for final approval (including a final development agreement, bonding and approval from the NH Attorney General's Office). Carbonneau noted that according to the April 2007 conditional approval, a public hearing would be required on the development agreement and bonding. They have since received a Wetlands Permit, Alteration of Terrain Extension and State subdivision approval from NH-DES.

Interested citizen Grace Lilly was present and asked permission to address the Board. Board members stated that they would allow her to speak. Lilly presented information about the State's Wildlife Action Plan and photographs of the site. She stated that it was her opinion that the Board was misled by the developers representatives, as there as wetlands on the site that were not shown on the plan. In addition, Lilly stated that information that is now available to the Board but was not available at the time the decision was rendered (notably the State's Wildlife Action Plan) should be justification for the Board not to grant an extension. Page stated that he did not feel that the information presented by Lilly was pertinent to the request before the Board. Self stated that he agreed with Page.

Michael Day, Chair of the Conservation Commission, asked about vesting and subsequent changes to the zoning ordinance. Carbonneau stated that the approval at the current time is only conditional approval. At such time when final approval occurs, the provisions of RSA 674:39 would come into play. Motion by Self to grant a one year extension to April 5, 2013. Seconded by Smith. Vote: All in favor.

1. Other business as may be required.

a. Approval of Minutes - The Board reviewed the minutes of January 5, 2012 and January 26, 2012. Motion by Fuerderer to approve minutes as written. Seconded by Goller. Vote: All in favor. Davis and Goller abstained from voting on the minutes from the January 5th meeting.

Motion by Goller to adjourn. Seconded by Fuerderer. Vote: All in favor. Meeting adjourned at 7:25 p.m.

Submitted by,

Donna Munson
Recording Secretary