

Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – March 26, 2015

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: Glenn Page, June Fuerderer, Scott Self, Joe Smith, Jane Johnson, Jeff Goller, Selectmen's Representative Deborah J. Davis, Alternate Don Skiba and Alternate Jim McConnell.

Absent: None

The Chair took the roll and read aloud the agenda for the meeting.

Others Present: Professional Engineer Rob Hitchcock, Residents from the Town of Swanzey and the Town of Winchester: Barbara Skuly, David Hoitt, Carol Keene, Jean Snow, Michael Towne, Will and Mary Ryan. Also present was Winchester New Hampshire Conservation Commission member Ben Kilanski.

Minutes:

- Minutes from March 12, 2015 were considered. There was a **motion** by Fuerderer to approve the Minutes of March 12, 2015 with a correction of a typographical error citing "application" on page two. The word should be "applicant". There was a second by Self. No further discussion. 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, and there was further discussion in regard to impact on regional area. After discussion about some of the items having a regional impact a vote was called by the Chair and all were opposed to the motion. The motion did not pass.

A. PUBLIC HEARINGS -

1. **New Tenant Application** – Steve Pro/Septic Pro wishes to use the premises situated at 33 Prospect Street for a business consisting of septic design, maintenance and installation, earth moving, and snow plowing. The property is shown at Tax Map 57, Lot 97, with access provided over Tax Map 57, Lots 96 situated in the Business District. Both lots are owned by Winn Johnson. Continued from March 12, 2015.

Also under consideration at the same time:

Attached Sign Permit Application – Septic Pro wishes to install a 6 square foot sign on the building situated at 33 Prospect Street, shown at Tax Map 57, Lot 97. The property is situated in the Business District.

Public Hearing opened at 6:05 p .m. At that point Self recused himself since he is an abutting land owner. Page seated Skiba for Self.

Steve Pro spoke his plans for the site. He noted the plans for location of equipment and storage. Pro referred to parking on the site and said that he is not proposing any pavement markings, but there will be some parking out in front. He said he plans to keep the property neat and tidy. He went on to say that the only sign he is asking for is on the building itself, not at the street. He noted that the rest of the property will remain as a Keene Tree facility. Pro addressed working hours: will try not to work on the weekends. Work begins at 7 a.m. and there are three people in the office during the day. The drivers return between 3 and 5 p.m. He said a few lights will be kept on. Security cameras are in place.

Page asked for questions. Resident Barbara Skuly, Spring Street in Swanzey, asked about lighting on the property, asking if there would be changes. Pro responded that he was not planning for more lights than what is present now. If lights are changed, Planning Board will be involved. Skuly asked about cleaning trucks and where the water from that process might go. Pro said washing of trucks occurs in the garage bay. Pro said there is no drain in the bay and he does not know where the water goes. Skuly asked about washing the inside of the trucks and Pro said he would not be doing that at this facility. Pro said that the outside of the trucks would be washed. And if the inside of the trucks were washed, then the interior turns into grit at the bottom of the truck, which is not considered hazardous material and is in accordance with New Hampshire Department of Environmental Services (NHDES). Skuly asked about the possibility of noise produced by the Septic Pro operation, citing Keene Tree on the property producing noise on a weekend in the past. She asked if loud equipment might be used by Septic Pro. Pro responded saying the loudest truck is the pump truck and they have been on site for a while not producing a great deal of noise.

Page asked for more questions. There were none.

Public Hearing closed at 6:18 p.m.

Motion was made by Goller to approve use of the premises situated at 33 Prospect Street for a business consisting of septic design, maintenance and installation, earth moving, and snow plowing on property owned by Winn Johnson and shown at Tax Map 57, Lot 97, with access provided over Tax Map 57, Lots 96 situated in the Business District and to approve a permit for Septic Pro to install an attached 6 square foot sign on the building at the same location. There was a second by Skiba and no further discussion. All were in favor. **Motion passed.**

Self returned at 6:19 p.m. as a voting member of the Board and Skiba resumed Alternate status.

B. OTHER APPLICATIONS – The following application was considered for completeness only. Page attempted to limit comments to the completeness of the application.

1. Site Plan Review and Excavation Permit Applications - SVE Associates, agent on behalf of Mitchell Sand and Gravel, LLC, wishes to renew the existing excavation permit and seeks approval to excavate to a

lower elevation. The property is situated off West Swanzey Road and is shown at Tax Map 86, Lot 1 situated in the Business District.

Discussion as follows: PE Rob Hitchcock was present to represent SVE Associates. He explained the first request is for permit renewal. He noted that a permit renewal is also being filed at Winchester, NH as well since the property under consideration is within the boundaries of both towns. He said the request for permit renewal is to allow continued operations.

Hitchcock went on to say the second part of the approval is to permit excavation to 80 feet deeper in the same footprint as the pit. He said the additional footage will give more life to the pit.

Page emphasized that the question before the Planning Board is whether or not the application is complete. There was a discussion held regarding the fact that Swanzey does not provide an application format for this kind of business and Hitchcock came to the application process with information that he thought was pertinent, and not with information as required by a formal application.

Ben Kilanski was present representing Winchester, New Hampshire Conservation Commission and he noted there is an application form for this type of business in Winchester. David Hoitt asked Hitchcock if the application indicates the level of ground water at the site and Hitchcock said it did not. Page noted that the applicant has to get permission from the State of New Hampshire as well. Hitchcock said that discharge in the river needs to have a special permit, which pertains to any gravel pit. Kilanski asked if the State of New Hampshire is aware of the aquifer and whether any comments have been made pertaining to the aquifer. Johnson said that the aquifer issue was raised to the State five years ago. Johnson asked for plans to be reviewed again and also asked if the terrain has changed. Hitchcock said the plans of five years ago showed all of the land that would be worked in the future but only a small section of the land has been worked during the past five years. National Pollutant Discharge Elimination System, which controls water pollution, was explained by Hitchcock. Discussion was held regarding discharge of water on the site.

Will Ryan asked if the plan includes well monitoring. Hitchcock said no blasting records have been turned in yet. Hitchcock spoke about the typical depth of a gravel operation is 40 to 50 feet. Existing ledge is about 40 feet high.

Page emphasized once again that this hearing is for accepting a plan to go to public hearing. Hoitt asked that the following information be provided by the applicant for the public hearing: blasting records, ground water elevation, well monitoring results. Resident Carol Keene asked that noise level information be provided at the public hearing.

Kilanski stressed that he wants to share information with the Town of Swanzey. Page said any information that comes up at the public hearing will be shared. Kilanski informed all present that Winchester, New Hampshire will hold its public hearing on the permit request under consideration tonight on April 6, 2015 at 7 p.m. at Winchester Town Hall.

Hoitt asked about air quality testing, i. e. production of dust. Hitchcock said that he wasn't aware of any information available from air quality testing. Johnson said that there was some air quality testing

associated with the asphalt plant. The asphalt plant is on the same property. Environmental impact evaluation was not done.

Johnson asked if NHDES might be present at the public hearing. Hitchcock said that he could ask the State of New Hampshire Alteration of Terrain Bureau if they might be able to provide someone for the public hearing. He said this is the agency that oversees gravel pits in the State of New Hampshire. McConnell said he would send a letter as a State of New Hampshire Representative from Swanzey, and Johnson said she would do so also, asking for someone from that agency to be present on April 9, 2015 at the public hearing. Skuly asked for a geological analysis that might be available prior to the public hearing, as part of the application. Hitchcock said there isn't a formal report prepared, but he will ask if it can be done.

Jean Snow asked about experts at the public hearing – who hired them. Hitchcock said they are hired by SVE Associates. She suggested bias if hired by SVE Associates. Page explained that the Planning Board requires that applicants provide expert testimony at no cost to the Town.

Kilanski said that Planning and Community Development Director Sara Carbonneau has a copy of the Winchester application. Hoitt asked about radon testing and whether or not blasting releases radon. Hitchcock did not have any information about radon testing.

A question came up as to whether or not the property is considered to be a brownfield site since it once was used as a landfill. Hitchcock said that there has been no evidence that is the case. However, Michael Towne, a resident of Winchester and who is a neighbor of the property under consideration, produced a document that claimed the site is a brownfield site. The document appeared to be a printout from a Google search for superfund sites found in the Winchester New Hampshire area. It was left with the Planning Board for consideration.

Mary Ryan asked if the experts coming to the public hearing might be prepared to address the impact of the permit request on nearby homeowners' wells, foundations, and noise. Hitchcock said he believes that they will be prepared to answer those issues.

Hoitt noted that the frequency of traffic to and from the site has not been addressed on the application. Hitchcock said he didn't address that issue because that there is no application form and no checklist provided by the Town. Therefore the engineer provides a plan and he said he was at a loss as to what to provide. But given the input from the residents, he does have a better handle on information to provide. Reclamation of the property was also briefly discussed.

Motion was made by Goller that the application of SVE Associates, agent on behalf of Mitchell Sand and Gravel, LLC, to renew the existing excavation permit and seeking approval to excavate to a lower elevation is complete. There was a second by Self and no further discussion. Johnson voted no. All others were in favor. ***Motion passed.***

Hitchcock left the meeting at 6:53 p.m. as did the residents.

C. OTHER APPLICATIONS -

1. **Attached Sign Permit Application – Sam’s Outdoor Outfitters, Inc.** wishes to install an attached sign consisting of 64.91 square feet. The property is situated at 74 Monadnock Highway and is shown at Tax Map 18, Lots 51 and 52 situated in the Business District. – **Deferred until April 9, 2015.**
2. **Attached Sign Permit Application** – Tony Poanessa wishes to install an attached sign consisting of 30 square feet. The property is situated at 919 West Swanzey Road, shown at Tax Map 71, Lot 11 situated in the Business District.

Motion was made by Smith to approve a permit for Tony Poanessa to install an attached 30 square foot sign on property in the Business District at 919 West Swanzey Road, and shown at Tax Map 71, Lot 11. There was a second by Self and no further discussion. All were in favor. **Motion passed.**

C. DISCUSSIONS/OTHER BUSINESS –

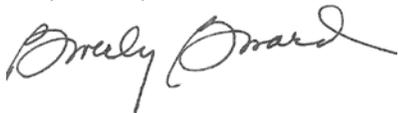
1. **Election of Officers** – **Motion** was made by Smith to retain the officers as present: Chair Glenn Page, Vice-Chair Scott Self. There was a second by Davis, no further discussion, and all were in favor. **Motion passed.**
2. **Planning Board’s Representative to the Capital Improvements Committee** – There was a **motion** by Goller to nominate Johnson as representative of the Planning Board to the Capital Improvements Committee. There was a second to the motion by Smith and all were in favor. **Motion passed.**

Smith noted that he will be unable to attend the April 9, 2015 meeting of the Planning Board.

Adjournment

Motion to adjourn was made by Goller, seconded by Davis, with all in favor. **Motion passed.**
Adjournment occurred at 6:59 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary