

**SWANZEY PLANNING BOARD MINUTES
JULY 12, 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 Swanzey Planning Board was called to order at 7:00 p.m. by Chair Glenn Page. Members present: Glenn Page, June Fuerderer, Jeff Goller, Gus Lerandeanu, Selectmen's Representative Nancy Carlson and alternates Paula Miller and Jane Johnson. Miller was seated for Scott Self; Johnson was seated for Joe Smith. Town Planner Sara Carbonneau was also present. The agenda for the evening's meeting was read and the following matters were addressed:

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 Lerandeanu. Vote: All in favor.

A. PUBLIC HEARINGS -

1. Subdivision Application - Stephen & Joan Pappas propose to subdivide Tax Map 72, Lot 51 into 2 lots. The subject premises are located off W. Swanzey Rd., Cobble Hill Rd. & S. Winchester St., situated in the Business District. Tax Map 72, Lot 51 currently consists of 6.474 acres. The proposed lots will be 1.637 acres and 4.837 acres. *See Item #2 below.*

2. Site Plan Review Application - Zaremba Program Development, LLC, wishes to construct a 9,100 s.f. building to be used for retail sales. The property is owned by Stephen & Joan Pappas and is situated off W. Swanzey Rd. & Cobble Hill Rd. and shown as proposed Lot 51-2 on Tax Map 72, situated in the Business District. *Note: Items #1 and #2 were combined for public hearing purposes.*

Jeff Merritt, P.E. from Keach-Nordstrom, Matt Casey from Zaremba Group, and Attorney Silas Little were present on behalf of the applicant. Public hearing opened.

Merritt presented revised plans to the Board; plans included items a through f as noted in the minutes from the June 28, 2012 meeting.

Goller inquired about the proposed crosswalk (item e) and how it would be connected to the existing sidewalk on the north side of Cobble Hill Road. Merritt stated that the area would be striped outside of the traveled way, connecting the crosswalk and the existing sidewalk. This will be shown on the final plans.

Merritt stated that the revised plans also indicate a cleared area at the northwest corner of the proposed site. Merritt stated that the intention of including this cleared area is to allow pedestrians and vehicles to have a better line of sight from both Cobble Hill Road and Route 10.

Page noted that the peer review of the traffic study was being conducted and should be ready by the July 26, 2012 meeting.

Johnson inquired about the status of fire protection plans. Merritt stated that the applicant will sprinker the building if other arrangements cannot be secured. Merritt noted that the hydrant on South Winchester Street is scheduled to be tested in the next week or so. After the results of the hydrant testing are obtained, the fire suppression company will work on a design for providing a water supply to the site. Page noted that in order to obtain a building permit, the applicant will need to meet the requirements of the Fire Chief for water supply.

Johnson stated that she would like to see a sidewalk along the easterly side of Route 10 on proposed lot 51-2. Carlson concurred, noting that there are many pedestrians who currently have to walk in the shoulder of Route 10. Page asked Merritt for a rough estimate of the cost of a 4 foot wide, asphalt sidewalk along the westerly side of the property. Merritt estimated that it may be approximately \$15,000.00. Motion by Carlson that the applicant include in their proposed plans a 4 foot wide asphalt sidewalk, to run from the proposed crosswalk on Cobble Hill Road running southerly along Route 10 to a point just north of the proposed curb cut for the project. Seconded by Lerandean. Vote: All in favor.

Johnson inquired about the rain garden. Merritt explained how a rain garden is designed to work and described the proposed vegetation (included on the landscaping plan). Johnson asked about maintenance of the rain garden and other drainage devices. Casey stated that Dollar General usually contracts with a local contractor to maintain the premises and that if these items needed maintenance that would be included in their scope of work.

Motion by Fuerderer to continue the public hearing on the subdivision and site plan review applications to July 26, 2012 at 7:00 p.m. without further notice. Seconded by Johnson. Vote: All in favor.

3. Multi-Tenant Application - Stephen Pro wishes to use a portion of the premises situated at 217 Old Homestead Highway for a business

consisting of land planning & permitting and septic system design. The property is shown at Tax Map 36, Lot 8 situated in the Business District. The property is owned by Adrian G. Pinney. Steve Pro appeared before the Board. No abutters were present. Public hearing opened.

Pro stated that he was opening an office in the Homestead Office Building. He is the sole full-time employee and also has two seasonal employees. He will be utilizing the existing sign in front of the building. No changes are proposed to either the exterior or interior of the building. Public hearing closed.

Motion by Goller to approve the Multi-Tenant Application. Seconded by Miller. Vote: All in favor.

B. OTHER APPLICATIONS -

1. Free-standing Sign Application - Zaremba Program Development, LLC wishes to install a 96.5 s.f. free-standing sign on property shown as proposed lot 51-2 on Tax Map 72. The property is located in the Business District. *See Item #2 below.*

2. Attached Sign Application - Zaremba Program Development, LLC wishes to install a 69 s.f. attached sign on property shown as proposed lot 51-2 on Tax Map 72. The property is located in the Business District. *Items #1 and #2 were combined for consideration.* Jeff Merritt, P.E. from Keach-Nordstrom presented the sign applications before the Board.

It was noted that the signs would be internally illuminated. Both signs meet the requirements of the zoning ordinance. Carbonneau inquired if the lights on the signs would be left on over night. Matt Casey from Zaremba Program Development, LLC indicated that the lights in the signs, as well as the lights in the parking area would be turned off approximately 1/2 hour after the store closes. Carlson reminded the applicant that the street number needs to be included on the free-standing sign. Carbonneau stated that the street number can be placed on the sign post.

Motion by Lerandau to grant both the free-standing sign application and the attached sign application, subject to the condition that the street number needs to be installed the sign post on the free-standing sign. Seconded by Goller. Vote: All in favor.

(The following application is being reviewed for completeness only. Comments will be limited to the completeness of the application only.)

3. Site Plan Review Application & Excavation Permit Pursuant to RSA 155-E - Patrick Putnam Realty Group, LLC wishes to utilize property situated off Route 10 for the excavation of sand, gravel and other materials, subject to the minimum standards established pursuant to RSA 155-E. The property is shown at Tax Map 71, Lot 13-2 situated

in the Business and Rural/Agricultural Districts. Richard Fraser from One Source Properties & Permitting and Patrick Putnam appeared before the Board. Abutting property owner Robert Secord was present.

Fraser reviewed the plans and application booklet with the Board. Essentially the proposal consists of excavation of approximately 11 acres out of a 21.4 acre parcel. The intention is a topographic adjustment so that the excavated area more closely resembles the remainder of the lot. Eventually, the property owner hopes to be able to utilize the premises for business and commercial uses.

Fraser stated that the property has already received an Alteration of Terrain Permit from NH DES, as well as a curb cut from NH DOT. Fraser also noted that the proposed project has also been reviewed by the Swanzey Conservation Commission and the Ashuelot River Local Advisory Committee.

Fraser also provided the Board with a revised copy of the Swanzey Zoning Board of Adjustment's Notice of Decision. The revised copy includes the conditions imposed by the ZBA at its meeting of May 21, 2012.

Fraser noted that the application materials include a memorandum prepared in 2008 that outlines costs associated with reclamation of an excavation site. Fraser stated that he has confirmed that these numbers remain accurate. Fraser suggested that this memorandum may be a source of information for the Board when establishing a bond amount for reclamation.

Motion by Lerandean to accept the application as complete.
Seconded by Johnson. Vote: All in favor.

C. DISCUSSIONS/OTHER BUSINESS -

1. Request for Modification to Previously Approved Site Plan -

Rountree Real Estate, LLC wishes to modify the lighting plan contained in the site plan approved on November 10, 2011. Robert Rountree and Chad Brannon from Fieldstone Land Consultants appeared before the Board. Abutter Joshua Tenney and his father, Russ Tenney, were also present. Page informed the Tenneys that this was not a public hearing, but simply a board discussion as to whether or not the proposed revisions needed to go to public hearing.

Branon provided the Board with a revised lighting plan for the property shown at Tax Map 18, Lot 87. Branon stated that he felt that the proposed revisions to the lighting plan were minor in nature and was asking if the Board accept the changes without the need for a public hearing. The proposed changes shown on the plans were reviewed by Branon.

R. Tenney stated that Mr. Rountree had not abided by the site plan approved in November 2011. In addition, R. Tenney stated that the bases and wiring for the lighting fixtures as shown on the proposed

revised lighting plan were already in place. R. Tenney stated that this was a violation of the terms of the approved site plan. Page informed R. Tenney that violating the terms of the approved site plan was a code enforcement issue and not a matter for the Planning Board.

R. Tenney informed the Board that he was recording the meeting.

The Tenneys and R. Rountree entered into a heated discussion as to when and how the Town became aware of the additional light bases on the property. Page again informed the parties that this was not of concern to the Planning Board and that the sole issue before the Board was whether the proposed changes rose to the level of needing a public hearing. Page stressed that it was his expectation that respect and public decorum is observed at any subsequent meetings on this matter, advising that he would request any offending party to leave and/or be removed from the meeting.

Motion by Johnson that the proposed changing to the lighting plan go to public hearing. Seconded by Goller. Vote: All in favor. Carbonneau noted that the earliest that this could be scheduled for public hearing is August 9, 2012.

2. Discussion with principals of Homestead Woolen Mills, Inc. No one appeared before the Board. Discussion was deferred to the August 9, 2012 meeting.

3. Minutes from June 28, 2012. Fuerderer noted that Item A.6. should be corrected to reflect that Goller made the motion to approve Lauer's home occupation. Motion by Fuerderer to approve the minutes as amended. Seconded by Johnson. Vote: All in favor.

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

Submitted by,

Sara H. Carbonneau
Town Planner