Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – October 22, 2026
Whitcomb Hall, Main Street, Swanzey, NH

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.

CALL TO ORDER:
The meeting of the Swanzey Planning Board was called to order at 6:00pm by Chair Victoria Ames. The meeting was held at Whitcomb Hall. Other members present: Vice Chair Scott Self, Michael York, Richard Lane, Brandon Self, Jane Johnson, Charlie Harbeck, and Selectman's Representative Alan Gross. Also present was Director of Planning and Community Development Adam Paquette.

The Chair called the roll and read the agenda for the evening. A quorum was present.

Absent:
Mark Scalera, Stacey Goodale

SEATING ALTERNATES:
The chair seated Jane Johnson for Mark Scalera

Others Present:
Chris Tymula, Bob Bollinger, Tanmay Patel, Bhumik Patel, Michael Gomarlo, Selectmen Jimmy Tempesta, J.R. Coughlin, David Painchaud Sr

MINUTES:
The meeting minutes of October 8, 2026 were considered. A motion was made by S.Self to approve the meeting minutes as presented. There was a second by Lane. All were in favor, except for York, who abstained. With no further discussion, the motion passed.

REGIONAL IMPACT
A motion was made by Lane that there was no regional impact. There was a second by York. All were in favor. With no further discussion, the motion passed.

APPLICATIONS AND PUBLIC HEARING(S):
PB 26-017: Site Plan Review application submitted by the Arihant Corporation. The applicant seeks permission to expand the existing gasoline service station with various improvements, such as new retail fuel canopies, new underground fuel storage, EV and commercial diesel parking spaces, re-striping the parking lot, and more. The subject property is located at 765 W Swanzey Rd (identified as Tax Map 232, Lot 52) within the Business District.

The applicant was granted a Special Exception for the proposed use on September 21, 2026. Additionally, the Planning Office has already reviewed and approved all proposed sign refacing. Existing dimensional nonconformities, specifically the diesel fuel canopy and the proximity of the parking area to NH Route 10, will not be expanded, intensified, or made further nonconforming.

- **The Board discussed if the application is complete. S.Self makes a motion that the application is complete. B Self seconds. All in favor. Motion carries.**
- Chair Ames opens the public hearing for PB 26-017 at 6:05 p.m.
- Chris Tymula starts to discuss the application by going over lot specifics and existing conditions.
- Tymula explains the nature of the mixed-use building and existing businesses.
- Tymula explains that they have received special exception from the ZBA for the use.
- Tymula goes on to explain the proposed improvements to the site to include:
    - New diesel canopy
    - Restriping the parking lot and providing EV parking spaces
    - Commercial diesel parking in the rear
    - General beautification of the site
- Proposing 12 new trees on site in various locations
    - 120 new shrubs and plantings
    - Variety of perennials and new grass
    - Outdoor seating near entrance
- Tymula explains the stormwater plan for the site
- Tymula explains the erosion control plan
- Tymula provides the Board with an email from DOT explaining that the existing encroachments are permitted to exist
- NH DES has received the applicant's underground storage license
- Chair Ames says that the hearing could take up to two meetings to complete due to the complexities
- Lane inquires about electric vehicle charging stations and if they are permitted or not in the business district.
    - Tymula answers that if they are not allowed, the applicant could remove
- S.Self inquires about existing and proposed diesel tanks
- Gross inquires about the number of parking spaces and the applicant explains that the proposed parking meets code standards
- The Board speaks about EV Charging stations
    - Paquette speaks about EV Charging stations being an accessory to the primary use of vehicle fueling station and convenience store, and is permitted pursuant to Section V, Article B.1.s
- Chair Ames discusses EV charging stations with the board
    - B.Self states he is in favor of considering the EV Charging Stations as accessory
    - Gross asks if the apartments nearby would be able to use the spots, no answer by applicant
    - S.Self disagrees because the Zoning specifically allows non-retail and is silent on retail
- Tymula explains the client will remove the EV charging station from the plan in order to not go back to the ZBA for a variance
- Ames inquires about setbacks along the State route with existing structures
- Ames inquires about the circulation in the lot, for cars, semis, and pedestrians
    - Tymula explains the advantage of having three existing curb cuts. Commercial diesel spaces are talked about and Tymula explains that this is not like a truck stop, instead commercial diesel spaces are for overfill truck parking. There will be no overnight truck parking on site. Tymula shows an overhead view to show how far away they are to abutters.

    - Ames inquires about truck circulation and how they will move to the rear spaces. Tymula answers and demonstrates the circulation.
- Ames inquires about the abutting apartment complex and fence line, and where the pedestrians from the apartments will walk to get to the convenience store.
    - Tymula explains that there is more landscaping between the uses to provide more of a buffer
- Ames asks if the applicant could consider making a pathway between the apartments and the property in question to protect the proposed landscaping from damage. Tymula explains that the applicant wants to be a good neighbor. Ames inquires about possibly removing the summer wine ninebark in order to make way for a pathway.
- Ames shares concern regarding mail delivery for the post office and how the USPS semi orients on and off site. Ames asks if the applicant can address that problem with the USPS semi. Applicant will work with USPS to ensure they do not block drive isles or parking spaces.
- Ames asks if the restaurant use will continue and Tymula answers that there might be a new tenant in the future.
- B.Self asks about the driver for USPS and discusses ways they could mitigate the issue on-site
- Ames asks if the Board could waive parking spaces to help alleviate any potential USPS truck issues. Paquette answers that the Board cannot waive parking requirements because those requirements come from the ordinance.
- S.Self states that the goal is to make the site better, not worse.
- Tymula explains that they can keep the existing conditions near the state route, eliminating the proposed green space.
- The Board continues to discuss circulation
- Ames reads a letter submitted by Debbie Murray into the record, which reads as follows:

Hi,

I am writing regarding the planning board meeting on October 22 regarding the fuel canopies and commercial diesel parking spaces at 765 W Swanzey Road. I wish to have this letter read at the meeting.

My name is Debora Murray and I own and live at 73 Perry Lane, Unit 8, the condo unit that is most adjacent to the parking lot at the above mentioned property.

I moved in to 73 Perry Lane, Unit 8 in August of 2004. By 2007 I started experiencing asthma symptoms. When I would get a cold it would turn in to a major bronchial event, causing immediate inflammation, coughing, headaches and dizziness. I would have to start on steroid pills and a steroid inhaler. If I did not catch it quick enough I would be on a breathing nebulizer treatment every four hours. It made it difficult to sleep and work. The vibrations when a layed my head on the pillow caused as much issue as the exhaust, it caused headaches and difficulty sleeping, which led to difficulty concentrating, I eventually had to start taking sleeping medication. It wasn't until I was at the Dr and said I hadn't slept anyways because of the tractor trailer trucks parked out back running all night that my doctor realized what the issue was and determined it was most likely the exhaust coming in my window, which I kept open, often year

round for “fresh air” From that point on I was unable to open my bedroom or living room windows and pretty much stopped opening all windows in my home because of the exhaust smell from the trucks that were allowed to park all day and night in the lot. They were left running for hours at a time.

Per NH Administrative code ENV-A 11-2.02 the maximum allowable idling time is directly tied to the outside temperature
Above 32 degrees – 5 consecutive minutes in an 60 minute period
Between -10 degrees and 32 degrees 15 minutes in any 60 minute period
Below -10 degrees no limit provided it does not create a public nuisance – operating near a home is in clear violation of this

I have called the Swanzey police and have been told:
Go knock on the truck door and ask then to turn the truck off
There are no trucks in the lot, when I can clearly see them
There are no trucks running, it is the coolers on the Gomarlos roof (I drove over myself and SAW the trucks running)

Over the last two to three years trucks have no longer been parking there and I have had no breathing or sleeping issues. I no longer use an inhaler or a nebulizer on a regular basis. The owner states that the intent of the additional 10 parking spaces is to allow trucks to line up to fuel, which seems unlikely to have a need for ten trucks to be waiting. However, if the actual intent is to allow overnight parking I strongly discourage the town from allowing this project to move forward in this setting. It will be a disruption and a nuisance and will affect the health and wellbeing of the people living nearby, especially those in the nearby condos and the apartments.

If the project moves forward, I request the following:

Signs be placed stating that trucks may not idle for greater than the 5-15 minutes, dependent on the temperature
Trucks may only idle if they are waiting to use the diesel pumps
Swanzey Police department patrol the lot and are prepared to uphold the state law
Swanzey Police be prepared to respond to neighbor calls when there are issues
The parking spaces be moved to the front of the lot, as far away from the condo are as possible
The spaces be reduced from 10 to 3 (given the number of pumps being added it is unlikely that 10 additional trucks will be waiting to fuel)

My last concern is the lights on the pumps. The current lights are very bright and disruptive, shining in windows. This problem has become worse over the years as trees in the area have died off and fallen. The owner states that new lighting will be used, which will be very different and less disruptive than what is there now. Unfortunately, we have no way to know this until the project is complete If the lighting is bright and visible through our windows and causing issues, I would like the opportunity to revisit and address concerns with 24 hour lighting or request that the applicant, Arihant Corporation, add additional trees or barriers for the lighting.

Thank you,

Debbie Murray

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- Tymula responds to the above letter by stating the distance from the diesel parking and residential use. He also goes over the wooded buffer between the two uses.
- York states that state laws dictate how long trucks can idle and the applicant states they will abide by those laws.
- Lane asks if the lighting is hooded. Tymula states the lights are dark sky compliant.
- Tempesta asks how the changes near the post office will affect the plan submission. S.Self answers that if the changes make the site unsafe, the board could ask for changes to make safer. S.Self states that the Planning Board has the obligation to review the entire site and if something is not working property, they can address at the meeting. Tempesta and the Board continue to discuss the end of the property that contains USPS.
- S.Self asks about the parking spaces and the applicant states they include spaces at the pumps
- Mike Gomarlo states that he believes the plan is good and the applicant deserves some grace regarding the USPS issues. He has positive comments regarding the applicants and their business.
- Painchaud states that the idling diesel trucks is a significant concern. He also reiterates that the trucks should not be able to idle. Lane states that the applicant has addressed this concern and they will not permit overnight parking.
- Gross inquires about state law and York says that NH abides by federal law on idling. York reads the idling timelines.
- Lane inquires about EV parking and Tymula reiterates that the applicant is open to removing those spaces.
- Bhumik asks if the zoning would ever change to permit retail EV charging in the future. The Board states that zoning may change but as of now, they would need a variance.
- **Ames closes the public hearing at 7:10p.m.**
- The Board discusses the merits of a walkway
- Lane discusses the possibility of providing a curb along pavement between apartment and use. The Board does not require this.
- **Lane makes a motion to approve the site plan with the following conditions:**

    1. No overnight truck parking is permitted on site.
    2. Applicant shall provide pedestrian access through the landscaped buffer to the residential use directly north of the development site.
    3. Revise the divider near the southmost curb cut so it is striped, instead of extended green space.
    4. No EV stations are permitted until a variance from the ZBA is obtained.
    5. All other relevant local and state permits must be obtained prior to building permit.

- **York seconds with no further discussion. All in favor. Motion carries.**

Discussions and Other Business:

A. Warrant Article Discussion

- Paquette discusses a conversation with the town's legal representation. The overall thought is that the first draft of the amendments is on the right track. They will be discussed at a public hearing.

B. Floodplain District (Section IX) Review

- Paquette asks if the Board has any questions on the proposed floodplain district changes.
    - S.Self had a question on Item 9, section D, as shown below:

        9. All recreational vehicles placed on sites within a special flood hazard area shall either:
            i. Be on the site for fewer than 180 consecutive days; or
            ii. Be fully licensed, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

    - S.Self asked if the "or" should be changed to an "and" at the end of i.

    - Paquette explains changes to Section III.V regarding the floodplain exception
    - Paquette and the Board discuss the public hearing, which will happen on November 19.

10. Definitions (Section XIII) Review

- S.Self asks about definitions and how they will be reflected in the ordinance
- Chair Ames asks about definitions we have not discussed yet
- Chair Ames asks about governmental uses and whether they should be in the ordinance if the Board cannot govern those uses.
- Chair Ames asks about recreation facility
- Chair Ames states there are still definitions missing from permitted uses found within the ordinance
    - Paquette states he wants all uses defined by end of next year and doesn't have the bandwidth to include extra definitions to staff workload
- Chair Ames asks about how the uses are alphabetization and Paquette states he will re-alphabetize the definitions

Gross asks if Paquette can provide some education to the people of Swanzey to more succinctly describe upcoming amendments. The Board discusses.

York reminds the Board of CIPC items

ADJOURNMENT

A motion to adjourn was made by Lane. There was a second to the motion by B.Self with no further discussion. All were in favor and the m*otion passed.* Adjournment occurred at 7:55pm.

Next Meeting: November 5, 2026

Respectfully Submitted,

Adam Paquette, Director of Planning & Community Development

Approved on