Town of Swanzey, New Hampshire
Conservation Commission Meeting
Whitcomb Hall, Main Street, Swanzey, NH
Meeting Minutes – February 3, 2025

Note: Minutes are subject to review, correction, and approval by the Commission. Review, correction, and approval of minutes generally occur at the next regularly scheduled meeting of the Commission.

CALL TO ORDER
The meeting of the Swanzey Conservation Commission was called to order by Chair Cheri Domina at 4:02 p.m. Committee members present: Chair Domina, Bud Winsor, Bob Goodrich, Mark Scalera, Jay Ward, Nancy Karlson, and Bonnie Hart.

ABSENT
Alternates Jane Johnson and Wallace Smith

OTHERS PRESENT
Town Administrator Michael Branley, Selectmen Bill Hutwelker, and Assistant Town Planner Stephon Mehu. Mark Beaudry, engineer and project manager, as well as Stephen and Lonnie Giardano, owners of Black Belt LLC, were present. Richard Lane, Vice Chair for Planning Board and Linda Hunt, past Conservation Commission member, were also present.

MINUTES

- The commission members considered the meeting minutes for January 6, 2025. There was a **motion** by Scalera to approve the Minutes of January 6, 2025 as presented. There was a second to the motion by Winsor and no further discussion. All were in favor (Karlson abstained). ***Motion passed.***

PUBLIC INPUT
N/A

NEW BUSINESS
Warrant Articles Discussion (Michael Branley)
Branley discussed the Town Warrant articles for the proposed West Swanzey Water Company acquisition and financing of the completion of a Comprehensive Storm Water Plan. He stated that a 40% forgivable loan would be obtained for the acquisition of the water company; he continued to explain the importance of the opportunity to expand resources for our community.] The water company has about 90 hookups now, representing 500-600 housing units or about 1,000 people. It's a private system now, limited by the PUC and funding. The owners don't have the money for repairs, or for expansion, which could be beneficial for business development along Rte. 10. It's an important source of clean drinking water for the town.

> **Motion** made by Scalera to have a resolution in favor of Article 5 of the 2025 Town Warrant; seconded by Ward. No further discussion; all were in favor. ***Motion passed***.

Review of Black Belt LLC's Drive-thru Restaurant Proposal
Mark Beaudry began the presentation on the property located at the corner of Marcy Hill and Route 12; the lot is located in the Business District, is 15 acres in size, has 5 acres of wetlands, and will likely have further development at rear of lot, following subdivision. The proposed structure is likely to be a coffee shop or the like,

with a drive though, entering and exiting off of Marcy Hill Road. Beaudry stated that a few patches of wetlands were delineated by their wetland scientist since the purchase of the lot. Their current plan places septic 75 feet from any wetlands and they have applied for a variance from the 125 ft setback in the event the proposed amendment that affects Section VII.E.1 of the zoning ordinance passes.

Goodrich mentioned the filling of the land upon which the structure is proposed to be set, back in the 1980s; the Army Corps of Engineers had requested the site have the fill be removed (if the project were to proceed) as the majority had been placed there illegally after a site plan for a convenience store on the same spot was approved. Beaudry addressed this concern and stated the proposed development meets all state requirements. Domina discussed the history of the property—the failed proposal by the Doodys in 1985, and the later Tire Warehouse proposal to build further back. She cited a 1992 letter from the ConCom to the ZBA asking that the aforementioned fill be removed as part of mitigation for a wetland crossing. Again, it was not removed. Domina addressed the data showing the test pits revealing the water-table situated just 10 to 12 inches below the surface. Beaudry explained the stormwater system would be approximately 18 to 21 inches in depth with a 2 foot invert. Domina asked about a brook not appearing on the applicants' map, and noted a hydrology study in the file indicating the direction of flow on the property to the north and east—to the wetlands across Marcy Hill Road and across Rte. 12.

The applicants stated they had no knowledge of the prior history of the property or of the fill that had been placed on the land.

Scalera asked about a screening or buffer for the site to protect the wetlands from trash and other negative externalities; Beaudry highlighted the existing wetlands buffer along Rt 12 and the landscaping that will separate the structure and parking from the surrounding area.

Luke Hurley of Hurley Environmental spoke further on the test pits executed for the proposed site plan; he stated the pits yielded peculiar results, delineations showed previous logging, signs of fill material based upon soil types, and a high water-table for environment conditions. Clean, sandy fill was found on the site. The shallow aspect of the leach field came into question as the performance of the system was of concern and Beaudry explained the system's ability to keep water in and outside factors that may impede upon its performance, out.

Linda Hunt, resident and past Conservation Commission member, asked the applicant about evidence of a wildlife corridor in the area of proposed construction on Marcy Hill Road. The applicant informed Hunt that no corridor was identified.

The applicants left and the board discussed their positions on the project. They reached a consensus that the spirit of the ordinance would not be observed if the development of this section of the lot were allowed, as it would be similar to the violations committed when part of the site was filled in during the project from the 1980s. The board decided they would submit a memo to the Planning Board to illustrate the concerns of the project, echoing their concerns previously submitted to the Zoning Board.

Review of Pilgrim Pines' Proposed Bath House

The proposed Bath House at 220 West Shore Road was discussed and no major concerns were determined, and the project gained support from the board.

Proposed Wetland Amendments for 2025 Warrant

The proposed amendments that the Conservation Commission has developed in 2024 for the 2025 Town Warrant and their possible, negative externalities without a conditional use permit were discussed. The board collectively decided it is okay if residents vote down the proposed amendments, as the board will be working on new amendments to propose for the 2026 Town Warrant.

Domina is working with at least one planning board member already on the 2026 wetland amendments, and Hart and Ward volunteered to join the work group.

Open Space Planning
Domina spoke to the plan for moving forward with Open Space Planning with Moosewood Ecological and mentioned getting in touch with Jeff of Moosewood.

Mt. Cresson Trails
Hart discussed her observations from hiking Mt Cresson with Alan Gross to check on the trail flagged by Meadowsend. Snow limited the ability to fully inspect the area and another inspection hike will take place in early Spring. Anyone is welcome to go check out the blue-flagged trail loop. Mehu suggested we work with the rail trail committee re: entering from the rail trail.

Next Meeting: March 3, 2025

ADJOURNMENT
Motion was made by Winsor to adjourn, second by Jay, without further discussion. All were in favor. ***Motion passed.*** Adjournment occurred at 6:13 pm.

Respectfully Submitted,

Stephon Mehu, Assistant Town Planner

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