Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – January 23, 2025
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 6:00 p.m. by Chair Scott Self. The meeting was held at Whitcomb Hall and via Zoom software for the public. Members present: Scott Self, Mark Scalera, Richard Lane, Victoria Ames, Board of Selectmen Representative Charlie Harbeck. Also present was Town Planner Adam Paquette. The Chair called the roll and read the agenda for the evening. A quorum was present.

Absent:
Alternate Michael Scungio, Alternate Bryan Verdegaal, and Alternate Jane Johnson, Alternate Steve Malone, Brandon Self

Others Present:
Garrett Raney with FACT TV, Matt Abbott with Bergeron Construction

MINUTES:

- The meeting Minutes of January 9, 2025 were considered. **Motion** was made by Scalera to approve the meeting Minutes of January 9, 2025. There was a second by **York.** All were in favor. ***Motion passed.***

APPLICATIONS AND PUBLIC HEARING(S)
There were no applications and no public hearings for this meeting.

DISCUSSION AND OTHER BUSINESS

Bergeron Construction: Site Plan Modification (Matt Abbott)

- Moving office to 358 Matthews Road from a location in Keene.
- The applicant is proposing the construction of a 28x24 addition to add a couple more office spaces.
- The addition meets setbacks and other building requirements.
- The group was in favor that this was a site plan modification, conditional on receipt on updated full site plan to be submitted to the Code Enforcement Officer.
- **Motion** made by **York** to approve the site plan modification with the condition that the Code Enforcement Officer receives the full plan set and approves prior to occupation. Second by Scalera. All in favor. ***Motion passed.***

Discussion on Amendment 10 (now Amendment 9)

- Self states that he did not call for motion to put Amendment 10 (now Amendment 9) onto the Warrant Article at our last Planning Board meeting on January 9, 2025.
- Lane and Self discuss the motion from previous meeting.
- **Motion** made by Ames to put amendment 10 (now Amendment 9) onto the Warrant Article. Seconded by Scalera. Voted in favor 4-3. ***Motion passed.***
- Lane makes a comment on Amendment 8 and feels the group was ambushed with last minute letters of opposition. Says the Board and Conservation Commission did not have adequate time to prepare comments.
- Lane says that because of the way the letter from the selectman was brought to us, we should have continued the hearing.
- Paquette clarified that comments/letters of support or opposition can be received at any time and presented at the meeting.
- There was some confusion over RSA requirements for when the Warrant Article must be finalized.
- Reck comments that language in the letter from the Board of Selectman referenced legal liability and wondered how that fit with our legal counsel's opinion.
- Lane makes a comment that legal counsel did not present any comments disagreeing with the amendments.
- Self states that town legals counsel gave opinions that the amendments were good from a legal standpoint, but they can't really comment on the viability from a planning standpoint, because that's not why they're giving feedback.
- Paquette clarifies that town legal's only issue was with formatting on one of the amendments.
- Lane states that the selectman's statement was inappropriate in relation to Base Hill Road and questions if the individual had a conflict of interest.

Conditional Use Permits

- Paquette explains the difference between Special Exceptions and Conditional Use Permits.
- Self explains that we have some leeway in how we write a potential Conditional Use Ordinance.
- Ames says that there is a draft wetlands ordinance to review that gets into conditional use permits from another municipality.
- Scalera asks if the permit goes into the deed. Self says that these go into the site plan, not sure of the deed.
- Self asks which board should administer the conditional use permit.
- Scalera states that conservation commission needs to comment on wetlands, especially on matters of access.
- Ames states that the Planning Board has a history of putting a lot of weight on comments from other boards and commissions. We should have this codified somewhere.
- Lane states that, historically, the Planning Board has continued applications that have not had comments submitted by other committees/commissions
- Paquette says that Variance and Conditional Use has different criteria
- Paquette says that, like with Special Exceptions, a condition use will still need to be tied to specific uses. Paquette states that more research needs to be done before a proposal is brought before the board.
- Ames says she likes the case by case flexibility.

- Paquette says that if the application looks like a special exception, it should remain a special exception. We shouldn't adopt Conditional Uses if we can achieve the same result with special exceptions.

Land Use Bills by Mike

- Mike says there are new house bills to review when we are able to.

Other Business

- Ames says we should review the conflict-of-interest policy.
- Paquette will provide a copy of the conflict-of-interest policy.

ADJOURNMENT

Motion to adjourn was made by Ames. There was a second to the motion by Lane with no further discussion. All were in favor. ***Motion passed.*** Adjournment occurred at 6:41 p.m.

Next Meeting: February 13, 2025

Respectfully Submitted,
Adam Paquette, Town Planner

DRAFT