TOWN OF SWANZEY

OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT

Phone: 603-352-7411 ext. 108
Email: planner@swanzeynh.gov
Web: www.swanzeynh.gov
Address: 620 Old Homestead Hwy

Swanzey Planning Board Agenda
June 11, 2026
6:00 PM

A regular meeting of the Swanzey Planning Board will be held on **Thursday, June 11, 2026, at 6:00 p.m. The meeting is upstairs at Whitcomb Hall (17 Main Street, Swanzey).** The meeting will also be live streamed on the Town of Swanzey's YouTube page. More information on public access to the meeting is available on the Town's website at: www.swanzeynh.gov.

1) Call to Order

2) Approval of Minutes

A. May 28, 2026

3) Public Hearings

A. **Site Plan Review Regulations (Continued from 5/28) -** The Board will consider proposed amendments to the Site Plan Review Regulations, specifically revising Section VII, Articles 6 and 7 regarding approval and conditional approval. The proposed amendments will change expiration timelines for site plans, define explicit conditions for active and substantial development, and establish clearer language for conditional approvals, among other smaller changes.

4) Discussions/Other Business

A. Continued Discussion on Excavation Permits & Compliance Timelines

B. Follow-up Discussion on Zoning Ordinance Audit

i) Questions, insights, etc.

5) Adjournment

Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – May 28, 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 6pm by Chair Victoria Ames. The meeting was held at Whitcomb Hall and online for the public. Other members present: Vice Chair Scott Self, Michael York, Richard Lane, Alternate Charlie Harbeck, and Selectman's Representative Alan Gross. Also present were Town Planner Adam Paquette and Recording Secretary Susan Ells.

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

Absent: Stacey Goodale, Mark Scalera, Brandon Self, Alternate Jane Johnson

SEATING ALTERNATES:
The chair seated Charlie Harbeck for Mark Scalera.

Others Present:
Kai Kraemer and Liam Mallan with FACT TV, Jonathan Schimp

MINUTES:
The meeting minutes of May 14, 2026, were considered. Chair Ames suggested edits to the draft. A motion was made by Scott Self to approve the meeting minutes as amended. There was a second by Michael York**.** All were in favor. With no further discussion, the motion passed.

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

APPLICATIONS AND PUBLIC HEARING(S):
A. PB 26-008: Schimp Family Oil Site Plan Review – A Site Plan Review application has been submitted by Jonathan & Laura Schimp, who propose converting existing commercial garage space into an office and making site improvements to allow the parking of empty trucks for the operation of Schimp Family Oil & Septic. The property is located at Tax Map 103 Lot 64 in the Business District.

Adam Paquette informed Jonathan Schimp that although there was a quorum, there wasn't a full board, so he has the option to either proceed at this meeting or continue the hearing until the next Planning Board meeting. Mr. Schimp opted to proceed.

Chair Ames read the application and explained to Mr. Schimp what the process is for the Board to consider his application.

This 0.61-acre property sits on the west side of Route 12, directly across from Sam's Outdoor Outfitters. The site features 161 feet of frontage off Route 12, with one existing curb cut. Current improvements include a single-family residence and a large, detached garage. This garage carries a history of commercial use, previously hosting vehicle repair and detailing businesses.

This site has an approved multi-tenant application from 2019 to allow a repair garage. The site was also approved for a special exception in 2008.

The checklist indicates that items 13-25 are not applicable. No concerns have been raised by Department Heads. The Board reviewed the checklist; Chair Ames noted that Number 12 is not checked regarding the location and number of parking spaces and after reviewing the site plan stated it should be checked 'Yes'.

Richard Lane moved that the application is complete and the Board can proceed to consider approval. Scott Self seconded the motion; with no further discussion, the motion passed.

Chair Ames opened the public hearing – there were no members from the public; Ames then asked the Board if there were questions.

Michael York asked Mr. Schimp if he was planning to install an oil tank; Mr. Schimp said he is not; this space will be used for offices and for parking for trucks when not in use.

Scot Self asked where the parking would be and Mr. Schimp described that the parking would be in the back of the garage where there is a concrete pad and a gravel lot. He pointed these areas out on the map in the packet.

Chair Ames closed the public hearing at 6:25pm and the Board discussed the application.

Michael York made the motion to approve the application; Richard Lane seconded the motion. With no further discussion, the motion carried.

B. New Tenant Application for Tax Map #103 Lot #64
Chair Ames read the application submitted by Jonatha Schimp.

Michael York moved to approve the application; Scott Self seconded the motion. All were in favor and the motion passed.

C. Site Plan Review Regulations - The Board will consider proposed amendments to the Site Plan Review Regulations, specifically revising Section VII, Articles 6 and 7 regarding approval and conditional approval. The proposed amendments will change expiration timelines for site plans, define explicit conditions for active and substantial development, and establish clearer language for conditional approvals, among other smaller changes.

Chair Ames opened the public meeting at 6:28pm. The Board discussed the proposed changes. Adam will make the changes and provide a clean copy at the next meeting.

A motion was made by Scott Self to continue the public hearing to June 11; Richard Lane seconded. All were in favor and the motion passed.

Discussions and Other Business:

A. Continued Discussion on Excavation Permits

Scott gave a summary of the history of the Town regulating the permitting of sand and gravel; the State regulates minerals and cut stone. Ames supplied a document for the Board to review and suggested the discussion continue when there is a full board.

Adam Paquette clarified information from the previous meeting; he said he mentioned Christine Smith's name several times during the last discussion. He clarified her role as the assessing coordinator does not involve any oversight or decision-making capabilities of these excavation projects. He said his previous comments conflated her role with past planners who originally brought these issues to light. This is strictly a collaborative effort between the Town and the State, with the Planning Department serving as the primary contact.

While he still proposes a 12-month timeline to achieve compliance, he wants to offer an alternative if the Board feels more time is required. The Board can discuss extending this to an 18-to-24-month timeline, which would move the compliance target date to either October 1, 2027, or April 1, 2028.

The Board of Selectmen was mentioned a couple times at that last meeting. He also clarified that they will not have any involvement with this process because the Planning Board is the regulating authority for 155-E in Swanzey.

B. Joint Meeting – Planning Board, Zoning Board, Conservation Commission, and EDAC Thursday, June 4 at 6pm at Whitcomb Hall

These boards will hold a public meeting to hear from Southwest Region Planning Commission regarding the Zoning Audit.

C. Update of the Wastewater Committee

Scott gave an update regarding the committee's project to evaluate pumping the sewage to Keene.

ADJOURNMENT

A motion to adjourn was made by Richard Lane. There was a second to the motion by Alan Gross with no further discussion. All were in favor and the m*otion passed.* Adjournment occurred at 7:36pm.

Next Meeting – Joint Meeting: June 4, 2026
Next Regular Meeting: June 11, 2026

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on

DRAFT

6. Approval

a. The Planning Board may attach such conditions to the approval of the application as it deems reasonable and necessary to ensure that the proposed use will be consistent with the purpose and intent of these regulations. Bonding may be required to ensure the completion of roads, utilities, and other public facilities.

b. No substantial deviation from plans as approved shall be permitted without the approval of the Planning Board. "Substantial deviation" will be monitored by the Code Enforcement Officer and/or Planning Board designee and determined by the Planning Board.

c. Site Plan approval will expire after a period of three (3) years following the date on which the Board votes to approve or conditionally approve the application, **unless,** within this three-year period, active and substantial development **has occurred.** For site plans approved in phases, a determination of active and substantial development shall apply to the phase currently under approval. Active and substantial development shall include one or more of the following, at the Planning Board's discretion:

    i. Site preparation activities, including movement of earth, excavation, clearing, logging, as well as installation and maintenance of erosion control measures. Activities must be conducted in conjunction with and in furtherance of the approved development.

    ii. Construction and/or installation of roadways or accessways constructed to at least a gravel base, building foundations, slabs, or footings in accordance with the approved plans.

    iii. Construction and/or installation of basic infrastructure intended to support the development, such as drainage and utilities in accordance with the approved plans.

d. No certificate of occupancy shall be issued until two (2) copies of the Site Plan are signed by the Chair of the Planning Board. No Site Plan shall be signed until all conditions related to the approval are placed on the plan, the Board receives final unconditional approval from the Swanzey Fire Department, and the plan is signed by a registered engineer or surveyor.

e. A minimum of thirty (30) days prior to the expiration of approval, an applicant may request a one-time extension of one (1) year for meeting active and substantial development from the Planning Board. The applicant shall demonstrate the necessity of the extension and provide an update to the Board about the status of the project.

f. Costs of engineering, legal fees, etc., shall be borne by the applicant. A security bond may be required to guarantee performance of the applicant's application described herein.

g. **Final approval is granted only after all conditions are met, but the board's vote constitutes a final decision for appeal purposes. Consequently, conditional requirements do not need to be met before filing an appeal.**

7. Conditional Approval

If an application is approved subject to conditions, the decision will state which conditions, if any, must be satisfied to obtain final approval of the application (conditions precedent), as opposed to conditions that **do not require a compliance hearing prior to final approval** (conditions subsequent).

a. As provided in RSA 676:4, I(i), if an approval is subject to conditions **subsequent**, the approval will become final without further public hearing upon certification by the Town Planner or other authorized official or upon satisfactory evidence of completion submitted by the applicant, but only when such conditions are:

   i. Minor plan changes, compliance with which is administrative in nature and does not involve discretionary judgment by the board;

   ii. Other conditions that are themselves administrative and involve no discretionary judgment on the part of the Board; or

   iii. Conditions with regard to the applicant's possession of permits and approvals granted by other boards or agencies.

b. If a conditional approval has been granted pursuant to 7.a in this section, the conditions shall be met within one year after the date upon which the board voted to approve, otherwise the approval is null and void.

c. All other conditions shall require a public compliance hearing and notice as provided in RSA 676:4, I(d). A public compliance hearing will be required within one (1) year after the date upon which the Board voted to approve with conditions, otherwise the approval is null and void. All conditions shall be recorded on the site plan prior to the compliance hearing.

d. The Planning Board may waive the requirement for action within the time period specified in subparagraph 7.b and 7.c, and consent to such extension as may be mutually agreeable.

10. Security fencing. Towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device.

SECTION X. ~~FIVE YEAR~~ EXEMPTION (old XI)
Seven Year

Every plat or site plan approved by the Planning Board and recorded in the Registry of Deeds shall be exempt from all subsequent changes to subdivision regulations, site plan review regulations, and zoning ordinances adopted by the Town of Swanzey as provided in, and subject to the requirements of, RSA 674:39.

SECTION XI. SPECIAL FLOOD HAZARD AREAS (old XIII)

1. All development in the Flood Plain District is prohibited except by Special Exception from the Zoning Board of Adjustment. The term "development" is defined to mean any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavations or drilling operations.

2. Section IX of the Town of Swanzey Zoning Ordinance, "The Flood Plain Development Ordinance," contains the regulations which apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency in its "Flood Insurance Study for the County of Cheshire, New Hampshire" dated May 23, 2006 or as amended, together with the associated Flood Insurance Rate Maps (FIRM) dated May 23, 2006 or as amended, on file with the Town Clerk, Planning Board and Building Inspector which are declared to be part of this ordinance.

3. The Code Enforcement Officer shall review building permit applications for new construction or substantial improvements in "special flood hazard areas" for compliance with Section IX of the Town of Swanzey Zoning Ordinance.

SECTION XII. PERFORMANCE GUARANTY (old XIV)

1. As a condition of approval, the Planning Board may require the posting of a performance guaranty in an amount sufficient to defray the costs of construction of the improvements shown on the site plan including, but not limited to, streets and drives, parking area, drainage, landscaping, lighting and public utilities. The amount of the security shall be based on an estimate of costs provided by the applicant, subject to the approval of the Selectmen. The amount of the security shall also include fees to cover the cost of periodic inspection. At the discretion of the Planning Board, the proposed security shall be reviewed by a licensed engineer. All costs of such review shall be paid by the applicant. The security shall be approved as to form and sureties by the Planning Board, the Board of Selectmen and the Town Attorney.