TOWN OF SWANZEY

OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT

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

Swanzey Zoning Board of Adjustment
Meeting Agenda for September 15, 2025
7:00 p.m.

The regular meeting of the Swanzey Zoning Board of Adjustment will be held on Monday, September 15, 2025 at 7:00 p.m. at Whitcomb Hall, 17 Main Street, Swanzey. The meeting will also be live streamed on the Town of Swanzey's Facebook and YouTube pages. 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. August 18, 2025

3) Public Hearings

   a. **ZBA 25-014: 6:00pm Site Visit at 21 Waters Edge Road –** Following the site visit, the ZBA will reconvene at Whitcomb Hall at 7:00pm

   b. **ZBA 25-014: Variance (CONTINUED FROM 8/18) –** Barbara Sheehan and Timothy Foster have requested a variance under Section IV, Article B.3 of the Town of Swanzey Zoning Ordinance to allow placement of a shed within the front setback. The property is located at 21 Waters Edge Road (Tax Map 103, Lot 52) and is in the Residence District.

   c. **ZBA 25-015: Special Exception** – Shane and Jaime Powell have requested a special exception under Section IV, Article A.2.m of the Town of Swanzey Zoning Ordinance to construct an accessory structure measuring 2,700 square feet and 28.5 feet in height. The property is located at 35 Katie Lane (Tax Map 254, Lot 59) and is in the Rural/Agricultural District.

4) Other Business

5) Adjournment

Town of Swanzey, New Hampshire
Swanzey Zoning Board of Adjustment (ZBA)
Meeting Minutes – **August 18, 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:
Chair Adam Mulhearn called to order the meeting at Whitcomb Hall at 7:00 p.m. Other members present were Vice Chair Jay Ward, Ann Karasinski, Bryan Rudgers and Lisa Thorne as well as Alternate Joe Parisi. Also present were Town Planner, Adam Paquette and Recording Secretary, Susan Ells.

ABSENT: Alternates Pete Delaney, Jessica Ramsey-Sanchez and Wayne Lechlider

OTHERS PRESENT:
Barbara Sheehan, Timothy Foster, Megan Ulin (Revision Energy), Dave Hickling (Airport Manager), Jim Jarzabek, Marcy Jarzabek, Stuart DeRidder, Mark Scalera, Nathan Jacobs.

SEATING ALTERNATES:
The chair seated Parisi for Rudgers for the first hearing as Bryan Rudgers recused himself. Rudgers returned for the remainder of the hearings.

REGIONAL IMPACT:
Ward made a motion that there was no regional impact. There was a second by **Thorne**. All were in favor. With no further discussion, Motion passed.

MINUTES:
The meeting minutes of **July 21, 2025** were considered and an edit requested by Joe Parisi. A motion was made by Ward to approve the minutes as edited. There was a second made by Rudgers. All were in favor and the motion passed.

PUBLIC HEARING:
1) **ZBA 25-014: Variance –** Barbara Sheehan and Timothy Foster have requested a variance under Section IV, Article B.3 of the Town of Swanzey Zoning Ordinance to allow placement of a shed within the front setback. The property is located at 21 Waters Edge Road (Tax Map 103, Lot 52). The property is within the Residence District.

Paquette gave the background of the application; the shed had been placed without first getting a permit; a permit was applied for and granted, however it was given in error without Zoning Board review for a variance. The applicants have letters of support from their neighbors.

Parisi asked about equitable waiver which Paquette stated didn't apply. Ward asked about the appeal window which Paquette stated had closed. Scalera stated that this was within the Shoreline permit zone.

Mr. Foster explained why they need the shed; is because the house is small so they need a shed to store items so they can use their second bedroom. The new shed has no electricity or plumbing. The property is about a ¼ acre but most of it is not usable. They want to preserve the trees that are on the lot, so they don't want to clear any of that area. They painted the shed the same color as the home so it would blend in.

Mulhearn asked if anything needed to be removed before the shed was installed to which Mr. Foster replied there was nothing. Ward asked if they knew they needed to get a permit. They said they didn't at first but then later applied for the permit from the Town when they learned they needed one.

Parisi asked about any other site on the property that could be used; Foster said no because the other side of the driveway is sloped; they would have had to build it up and disturb the property. The manufacturer of the shed could not have dropped it anywhere else.

Karasinski asked if they had considered adding onto the home when they determined it was too small; Foster said he was under the impression that he had to keep the same footprint; Karasinski said it could have been a second story; Foster said that was not feasible. Karasinski asked for clarification on what the requirements are for the distance from the road and how far the shed is from the neighbor's property line and was told it was about 5 feet.

Parisi wanted clarification as to why the shed couldn't be moved to the left. Foster said it would block the steps to get to the home and referred them to a photo in the packet.

Mulhearn asked the public if there were any questions.

Marcy Jarzabek, abutting neighbor at 17 Waters Edge Road, had a packet and photos to explain the impact that the shed has had on the property and the neighborhood. She wants to be a good neighbor and show good faith. They don't mind that they have a shed, but she wants it moved.

Karasinski said she would like a site visit; Mulhearn suggested they first look at the photos that were presented.

Mrs. Jarzabek showed the property stake that was placed there by a surveyor. The distance to their property is 3'5", not 5 feet.

Thorne asked Paquette about the request of the variance; he stated the variance should be updated with the side and back measurements.

Jim Jarzabek read the letter they provided to the Board. He asked if staff had stood in their driveway and saw the impact he was seeing?

Ward explained the question of the shoreland protection – this is not a primary residence, but it does need to go to the State if the Board approves the variance. He asked where the second shed is located; he said it is in the back yard and on the tax map. Mulhearn asked the property owners about the second

shed; Foster said there is a second shed, but it is falling apart and needs to be taken down. He said that town staff had suggested that a mirror be installed to help others leaving their neighbor's driveway.

Mulhearn clarified that a permit was issued with the understanding it was replacing a shed; the shed had already been delivered and installed when the permit was issued. The shed required a variance that was not sought.

Parisi asked why the new shed wasn't placed in the same place as the old one; Foster said it would not have been able to be placed there. Parisi said it could have if it had been a stick built. He feels a site visit is in order due to the site line and the location of the old shed.

Ward would like to see the location as well. Karasinski would also like to see the property or a new packet with a revised variance request. Mulhearn explained to the property owners that when the Board asks for the site visit it is generally granted.

Marcy said that she had told the homeowners that they needed proper permitting.

Mulhern said the site visit is an extension of this meeting.

Parisi made a motion to continue the meeting until the Zoning Board does a site visit of the property in question on September 15th at 6pm and continue this meeting. Parisi, Thorne and Mulhern voted in the affirmative. Ward and Krasinski voted no. The motion passed.

Mulhern explained the process to the property owners.

2) ZBA Variance: **ZBA 25-011: Variance (CONTINUED FROM 7/21) –** ReVision Energy, representing the City of Keene, is seeking a variance under Section IV, Article A.1 of the Town of Swanzey Zoning Ordinance to install a ground-mounted solar energy system on undeveloped land at the Keene Dillant–Hopkins Airport (Tax Map 205, Lot 1). The proposed project is located within the Rural/Agricultural District, where the intended use is not currently permitted.

Ulin brought more information which she provided to the Board which is in the packet. This addresses the concerns from the previous meeting about possible glare created by solar panels. Ulin explained there is a federal policy which was updated in 2021 and stated that this design follows that policy and does not cause glare to pilots. Solar has been successfully installed at other airports, in particular Denver airport which has the most solar panels in the country.

Ulin also shared more information regarding the question of decommissioning it at end of the life of the panels and this is in the packet.

Mulhern said the current use of the land is the airport; he asked if this project did cause glare, would the FAA approve this project. Hickling said with the advancement of the solar panels the FAA no longer considers this a concern except for air traffic control towers, which this airport does not have. The research and data show this is not an issue for pilots.

Mulhearn reiterated with Hickling that the airport does not see an issue. Ward said he had a problem with the diagram that compared the glare off the panels with glare off buildings or water because the panels will be on an angle. He understands how reflective coatings can reduce the glare.

Karasinski felt the reports were interesting and appreciated the information. She said there was a helicopter school – is that property being used for the school and Hickling said it was not.

Parisi said he learned in the last presentation that basically that land isn't useful for anything else. Hickling said there is a study on their website that explains the height restrictions. Parisi asked if the property was suitable for farming? Ulin said the property is not available for public access and other uses could be potentially hazardous to wildlife in the area.

Karasinski asked would an incoming pilot know these solar panels are there; Hickling said the airport could publish it. Ulin said it won't change how pilots approach the airport. Hickling said the design has been revised several times to be sure of being compatible with the airport.

Mulhearn asked if there were any questions from the public:

Nathan Jacobs addressed the Board and explained that at the last meeting he had opposed the project; today he read more concerns which were provided for the record. He urged the board to deny the variance.

Ulin went through the checklist for the Board.

Mulhearn asked the Board for questions or more discussion; Parisi said he has a friend who is a pilot; he asked if he had any issues with solar panels at airports; he said he has had trouble with panels away from airports but not at airports. Karasinski confirmed that the brand in the packet is the brand they plan to install and asked if the coating would degrade over time? Ulin said the thickness has increased so that degradation is less likely to occur. Improvements in the past years have addressed this.

Mulhearn closed the public hearing at 8:53pm and asked the Board if they had any more discussion before they review the questions. Rudgers said he travels a lot and sees a lot of solar at airports. He knows pilots that have problems with it and some that don't.

Rudgers asked if we can answer both cases at the same time? Paquette said it would be necessary to open a public hearing for the 2nd variance.

Mulhearn reopened the public hearing and asked Ulin if there was anything different for the second variance. She said the only difference is that it is in a separate zoning district. It is located closer to Old Homestead Highway but will have buffers and landscaping.

Jacobs expressed his concern that perhaps sometime in the future the airport might need a traffic control tower, what if there is an issue with glare. Ward said the Town would need to plan that accordingly. Parisi asked if there were any other uses for the other property. There are height restrictions there, too.

Mulhearn closed the public hearing, and the Board deliberated the checklist for granting a variance.

1. Could the variance be granted without being contrary to the public interest?

- Thorne – Yes – would cause more noise or traffic.
- Karasinski – Yes – agree with Thorne
- Rudgers – Yes – testimony from a pilot
- Ward – Yes – thinks the material regarding the glare is not contrary.
- Mulhearn – Yes – it complies; there have been advances in technology

2. Would the spirit of the ordinance be observed if the variance were granted?

- Karasinski – Yes – allows the applicant to use the land more effectively
- Rudgers – Yes – give the property owner permission to use the land
- Ward – Yes – spirit of ordinance limits the type of development; this does not fall into the category of uses that are denied. Ordinance does not address solar arrays.
- Thorne – Yes – limited use for that land
- Mulhearn – Yes – agree with Ward

3. Would granting the variance do substantial justice?

- Rudgers – Yes
- Ward – Yes – the Town can let the property owner to use the property – we all benefit from the use of solar versus fossil fuels.
- Thorne – Yes agrees with Jay
- Karasinski – Yes – agrees with others and no injustice to general public
- Mulhearn – Yes - justice for property owners

4. Could the variance be granted without diminishing surrounding property values?

- Ward – Yes – this array is far enough from the surrounding properties will diminish values
- Thorne – Yes – no evidence that it will diminish
- Karasinski – Yes – believes it will improve property values and encourage others
  Rudgers – Yes - there is no evidence to the contrary
- Mulhearn – Yes

5. Do special conditions of the property exist that distinguish it from other properties in the area?

- Thorne – Yes – very limited uses
- Karasinski – yes – airport is similar to Swanzey Lake in that there are height restrictions.
- Rudgers – yes – very unique and controlled by government
- Ward – yes -restrictions on this – very different from the rest of the town.
- Mulhearn – yes agrees with the others. One of one type of property as an airport.

A.i. Owing to the special conditions of the property that distinguish it from other property in the area, there is not a fair and substantial relationship between the general public purpose of the ordinance and the specific application of the provision to the property?

- Karasinski - Yes

- Rudgers - Yes
- Ward - No – in this case – ordinance is clear that it is not allowed according to his interpretation
- Thorne - Yes
- Mulhearn – Yes – this is a special condition property. Other uses would have more of an impact.

A.ii. Is the proposed use a reasonable one?

- Karasinski – Yes
- Rudgers - Yes
- Ward - Yes
- Thorne - Yes
- Mulhearn - Yes

If the criteria in subparagraph A.i. and A.ii. are not met, an unnecessary hardship will be deemed to exist if, and only if:

B. Owing to the special conditions of the property that distinguish it from other properties in the area the property cannot be reasonably used in strict conformance with the ordinance, and a variance in necessary to enable a reasonable use of the property:

A motion was made by Thorne that to accept **Variance 25-011** – seconded by Karasinski; Ward voted no; all others voted Yes. The motion passed.

3) **ZBA 25-012: Variance (CONTINUED FROM 7/21) –** ReVision Energy, representing the City of Keene, is seeking a variance under Section IV, Article B.1 of the Town of Swanzey Zoning Ordinance to install a ground-mounted solar energy system on undeveloped land at the Keene Dillant–Hopkins Airport (Tax Map 205, Lot 1). The proposed project is located within the Residence District, where the intended use is not currently permitted.

The Board deliberated the checklist for granting a variance.

1. Could the variance be granted without being contrary to the public interest?

- Thorne – Yes – same issue
- Karasinski - Yes
- Rudgers -Yes
- Ward - Yes – even though closer to Route 32, not an issue
- Mulhearn - Yes

2. Would the spirit of the ordinance be observed if the variance were granted?

- Karasinski – Yes – observes the spirit of the ordinance. It is not contrary; it is passive.
- Rudgers – Yes - no contrary evidence that it is not observing the ordinance
- Ward – Yes – homeowners are allowed to install these – no difference
- Thorne – Yes agrees with others
- Mulhearn - Yes

3. Would granting the variance do substantial justice?

- Rudgers – Yes same reasons
- Ward – Yes same reasons, and some substantial justice that the value of the airport will increase
- Thorne – Yes agrees with Jay
- Karasinski – Yes - same as others.
- Mulhearn – Ys, same rationale. And homeowners have the right as well.

4. Could the variance be granted without diminishing surrounding property values?

- Ward – Yes – no evidence shown otherwise
- Thorne - Yes
- Karasinski – Yes – no contrary evidence
- Rudgers – Yes - no contrary evidence
- Mulhearn – Yes

5. Do special conditions of the property exist that distinguish it from other properties in the area?

- Thorne – Yes – all the same reasons
- Karasinski - Yes
- Rudgers - Yes
- Ward - Yes
- Mulhearn - Yes

A.i. Owing to the special conditions of the property that distinguish it from other property in the area, there is not a fair and substantial relationship between the general public purpose of the ordinance and the specific application of the provision to the property?

- Thorne - Yes
- Karasinski Yes
- Ward No – for the same reason as the other variance
- Mulhearn - Yes
- Rudgers - Yes

A.ii. Is the proposed use a reasonable one?

- Karasinski - Yes
- Rudgers - Yes
- Thorne - Yes
- Ward - Yes
- Mulhearn - Yes

If the criteria in subparagraph A.i. and A.ii. are not met, an unnecessary hardship will be deemed to exist if, and only if:

B. Owing to the special conditions of the property that distinguish it from other properties in the area the property cannot be reasonably used in strict conformance with the ordinance, and a variance in necessary to enable a reasonable use of the property:

A motion was made by Thorne that to accept **Variance 25-012** – seconded by Karasinski; Ward voted no; all others voted Yes. The motion passed.

Thorne made a motion to move the meetings downstairs until the Town provides a sound system. Mulhearn seconds the motion unless the meeting is too large for the room downstairs. All were in favor and the motion passed.

OTHER DISCUSSIONS

Rudgers asked that it is clarified whether if a person votes no on any question whether they are allowed to make a motion, second a motion, or vote in the affirmative for a motion. Paquette will provide clarification.

ADJOURNMENT

A motion to adjourn was made by Ann and seconded by Lisa and all were in favor. The Motion passed. Adjournment occurred at 9:40 p.m.

Respectfully Submitted,

Susan Ells, Recording Secretary

DRAFT

Mail body: Fw: Dear members of the Zoning Board,

----- Forwarded Message -----
From: Issy Jarz <jsjarz19@gmail.com>
To: Isabelle Jarzabek <liliz2001@aol.com>
Sent: Sunday, September 7, 2025 at 04:53:51 PM EDT
Subject: Dear members of the Zoning Board,

Abutting property owners have requested this information be attached to the 8/18 minutes.

Dear members of the Zoning Board,

I am , James Jarzabek 17 Waters Edge Rd, an abutter. I attended the August 18, 2025 variance hearing regarding the shed located at 21 Waters Edge Rd.

The minutes of the last meeting do not fully reflect the concerns I expressed. I am submitting this written statement and the attached photographs to be included in the official record of this continuance hearing.

1. Driveway Safety and Sight Lines
The shed in question has been placed in a location that significantly obstructs the sight lines when exiting my driveway. This creates a serious safety hazard, not only for myself and my family but also for other drivers and pedestrians using the roadway. Safe visibility is a fundamental zoning concern, and the shed's location directly undermines public safety.

2. Procedural and Permit Concerns
The shed was placed before a permit was obtained. Then the Town Code Enforcement Office received complaints did a visit, to the wrong address, along with the Planning Department Head.
Code Enforcement then issued a permit for a shed replacement of a shed that was never located on that part of the property.

3. Violation of Zoning Ordinance (Multiple Sheds)
The property already contains an existing shed on the rear of the property.
The zoning ordinance;
(Section III C 3, p. 7 of Zoning Ordinance (amended March 10, 2020):
Section V, Article B 3, p. 3 of the Warrant Amendments (March 10, 2020))
does not allow multiple accessory outbuildings of this type on a single lot without prior approval. The addition of this second shed constitutes a zoning violation and the front and side setbacks in itself aside from the safety issues it has created for us and the loss of property value.

4. Requested Relief
For the reasons stated above, I respectfully request that the Board require this shed to be relocated or removed. Doing so would (a) restore safe driveway sight lines, (b) correct a permitting process that was not followed properly, and (c) enforce the zoning ordinance as written.

Thank you for your attention and for ensuring that my concerns are part of the official record.

Sincerely,
James Jarzabek
17 Waters Edge Rd
North Swanzey NH

Sent from my iPhone

APPLICATION FOR VARIANCE
TOWN OF SWANZEY (New 1/10; Revised 8/22)

RECEIVED
JUN 24 2025
TOWN OF SWANZEY

MAP: 103/52/0/0/0 **LOT:** 52

Lot 52
MAP 103

To: Board of Adjustment, Town of Swanzey:

NAME OF APPLICANT:
Sheehan, Barbara A
Foster, Timothy F.

MAILING ADDRESS OF APPLICANT:
21 Waters Edge Rd
North Swanzey New Hampshire 03431

Contact phone number: Barbara 1-928 302 0172
Tim 1-603 318 9037

OWNER OF PROPERTY:
(If same as applicant, write "same")
SAME

MAILING ADDRESS OF OWNER:
(If same as applicant, write "same")
SAME

LOCATION OF PROPERTY (Give Zoning District in which located & current street address)
Residental District
21 Waters Edge Road
North Swanzey N.H. 03431

FEES:

- Application fee: $75
- Current rates for Keene Sentinel Legal Notices
- $10/abutter certified mail notice

Fees will be billed and **must** be paid prior to public hearing.

1. [x] **SITE PLAN –** The site plan need not be done professionally, but **must** be to scale; the scale should be appropriate for the size of the project & the plan must be readable. Plans must indicate the size of the lot in acres or square feet, show the placement of all **existing** and **proposed** buildings on the lot and include setbacks required by the zoning ordinance. The plan must include a written and visual depiction of the scale used.

Shed

2. [ ] If applicable, indicate on the Site Plan the location of:
   - septic system and/or leach field
   - water supply
   - curb cuts
   - parking area (and size of parking spaces)
   - waterways
   - wetland areas
   - tree lines
   - drainage ways
   - loading docks
   - underground tank locations
   - impervious surfaces

S- 103/52/0/0/0 Lot 52

It is the applicant's responsibility for including all information on the plan that is pertinent to their application and proposed project.

3. ☐ Attach completed and up-to-date listing of ALL abutters with addresses.

4. ☑ Provide a brief description of the project/request.

Prebuilt shed dropped off (Blueberry Hill Sheds (Row) Old Hickory Buildings size 10' x 16 ft.

A Variance is requested from the terms of Section _____, Article _____ of the Zoning Regulations of the Town of Swanzey. See Attached letter of request

FACTS IN SUPPORT OF GRANTING THE VARIANCE:

1. Granting the variance would not be contrary to the public interest because:

It is less than 200 square feet Shed 10 ft by 16 feet

2. Granting the variance would observe the spirit of the ordinance because:

the cottage we live in is less than 600 sqaure ft. and no room to store essential living items

3. Granting the variance would do substantial justice because:

There is no room to have guests; as bedroom 2 has much clutter. it is a hardship without room to store items (shed) The shed was repainted white to blend in with the surrounding environment it is not a detriment to the surroundings (see letters from neighbors)

S 103/52/0/0 Lot 52

4. Granting the variance would not diminish the values of surrounding properties because:

It is a shed less than 200 sq. feet (attached are letters of no objection to the shed from neighbors

5. Unnecessary Hardship

Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because:

The "Special Conditions" of this property that distinguish it from other properties in the area are as follows:

It is a cottage of less than 600 sq. ft. With inadequate storage and no basement. Which makes the shed a neccessity as our neighbors have in this situation Also

A. Owing to the special conditions of the property as set forth above that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

we have a life long belief in protecting the environment. This shed is less than 200 sq. ft. It is on blocks. It is a pervious surface It does not inhibit water flow under or around the shed It does not require electricity or plumbing

and

ii. The proposed use is a reasonable one because:

It is 160 square feet (less than 200 sq. ft.. space is needed for storage. as it is a cottage.

MAPS 103/52/0/0/0 Lot 52

If the criteria in subparagraph A.i. **and** A.ii. are not established, an unnecessary hardship will be deemed to exist if, and only if:

B. Owing to special conditions of the property as set forth above that distinguish it from other properties in the area the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of the property because:

The land layout (trees) is not useable shed was not able to f.t. through trees

Note: The definition of "unnecessary hardship" set forth in subparagraph 5 shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

Signature of Applicant

Date: June 25, 2025

Signature of Property Owner

Timothy Foster
BARBARA SHEEHAN

Date: June 25, 2025

THIS VARIANCE IS HEREBY:

☐ **GRANTED** ☐ **DENIED**

by the Swanzey Zoning Board of Adjustment. The following are reasons and/or conditions:

CHECKLIST FOR GRANTING A VARIANCE
(for use by Swanzey Zoning Board of Adjustment)

1. Could the variance be granted without being contrary to the public interest?

_____ Yes _____ No

2. Would the spirit of the ordinance be observed if the variance were granted?

_____ Yes _____ No

3. Would granting the variance do substantial justice?

_____ Yes _____ No

4. Could the variance be granted without diminishing surrounding property values?

_____ Yes _____ No

5. Do special conditions of the property exist that distinguish it from other properties in the area?

_____ Yes _____ No

A.i. Owing to the special conditions of the property that distinguish it from other property in the area, there is not a fair and substantial relationship between the general public purpose of the ordinance and the specific application of the provision to the property?

_____ Yes/Agree

_____ No

And

A.ii. Is the proposed use a reasonable one?

_____ Yes

_____ No

If the criteria in subparagraph A.i. **and** A.ii. are not met, an unnecessary hardship will be deemed to exist if, and only if:

B. Owing to the special conditions of the property that distinguish it from other properties in the area the property cannot be reasonably used in strict conformance with the ordinance, and a variance is necessary to enable a reasonable use of the property:

_____ Yes

_____ No

If the answer to questions 1, 2, 3, 4 and 5 (5A or 5B) is "yes," the variance should be granted.

If the applicant fails to meet any one of the five variance requirements (1, 2, 3, 4 and/or 5), it cannot be legally granted and should be denied. Note: The applicant only needs to meet either 5A or 5B to satisfy criteria 5.

June 15, 2025

To Whom it Concerns

We James & Isabelle (Marcy) Jarzabek 17 Waters Edge Rd, North Swanzey, NH. do not have objections to the garden shed located on the property 21 Waters Edge Rd, owned by Timothy Foster and Barbara Sheehan. Our neighbors have the same hardships as we have, lack of basement space and small cottage home with inadequate storage. These sheds are such a necessity in this situation.

Best Regards,

Isabelle (Marcy) Jarzabek
James Jarzabek

To Whom it may concern

Barbara and Tim Foster + Sheehan at 21 Waters Edge Rd came and asked about if we would mind if they placed a shed on their driveway.

We absolutely don't mind that they did.

Tonie Cole and Brigitte Auger at 20 Waters Edge Rd North Swanzey NH

Letters From ABBUTERS

6/16/25

To Whom it May Concern.

We, David and Sherry Page, of 16 Waters Edge Road, would like it known that we have no objection to the shed on 21 Waters Edge Rd.

Tim Foster and Barbara Sheehan are good neighbors and take good care of their property.

We are not really abutters, but do see the property - and the shed does not bother us at all.

Sherry L Page

David Page

Gmail

Barbara Shihoka <barbara7127@gmail.com>
Sheehan

Variance setback

Mon, Jun 16 at 10:44 AM

[redacted] <[redacted]@gmail.com>
To: Barbara Shihoka <barbara7127@gmail.com>

To whom it may concern, the City of Swanzey,

Timothy Foster and Barbara Sheehan have requested a Variance pursuant to Section ———— of the Town of Swanzey Zoning Ordinance to, allow the shed into the. ——— feet front setback at 21 Waters Edge Road. North Swanzey, New Hampshire. 03431 in the. Residential District

The subject property is shown at Tax Map S 103 lot 52.

We live in a small cottage, less than 600 square feet, without a basement. We need a place for storage. The lack of space is a true hardship. The options are limited in how to create space for normal living and the ability to store things essential for the home.

Several weeks ago, on June 4, 2025, we presented to the town of Swanzey, a written notarized application for a permit for a simple pre-built shed, built upon blocks, in which to store our possessions. This shed is less than 200 square feet. The shed is 16 feet by 10 feet, which meets the requirements of less than 200 square feet. We have no need for electricity or plumbing. This shed does not inhibit water flow under or around the shed. This is a pervious surface. We have a lifelong belief in protecting the environment.

We have taken time and effort to tour our neighborhood to see how other folks have solved their storage needs, and concluded that many of our neighbors have taken similar steps, in various forms. It seems the norm for people living in our neighborhood to have sheds or other structures to create space for storage.

Gmail

Barbara Shihoka <barbara7127@gmail.com>

21 Waters Edge Road Survey

Jed Paquin <jed@paquinlandsurveying.com>
To: <barbara7127@gmail.com>

Thu, Jul 31 at 11:33 AM

Hi Barbara,

It was nice to meet you and Tim yesterday.

Please find attached a Lot Line Survey plat as well as an invoice for the completion of your survey work.

I'm also curious if your neighbor has made any mention of the survey?

Regards,

Jedadiah Paquin, NHLLS #978

PAQUIN LAND SURVEYING, PLLC

1281 Main Street, Unit G

Dublin, NH 03444

Cell Phone: 603-313-3858

25-37 Lot Line Survey, 2025-07-31.pdf, Invoice 25-37a.pdf

We have also taken time and effort to get the blessings of our neighbors, both verbally and in writing, to present to you for your consideration. See letters attached.

In that regard, we contacted Ron Blueberry Hill sheds. This is a pre-built shed. Because we do not wish to disturb the trees or the land layout, the only possible place to put the shed is in the front of the property. Putting the shed in the back or elsewhere would be impossible with these things taken into consideration. Ron Blueberry Hill Sheds have assessed the situation and agreed that there is only one possible place for the shed to be.

We are asking for your kind consideration and approval for the variance setback. This will give our lives quality as we are currently crowded within the home and unable to host guests or enjoy our space as it would normally be within our home.

Regards,

Timothy Foster

Barbara Sheehan

Town of Swanzey, NH

1 inch = 55 Feet

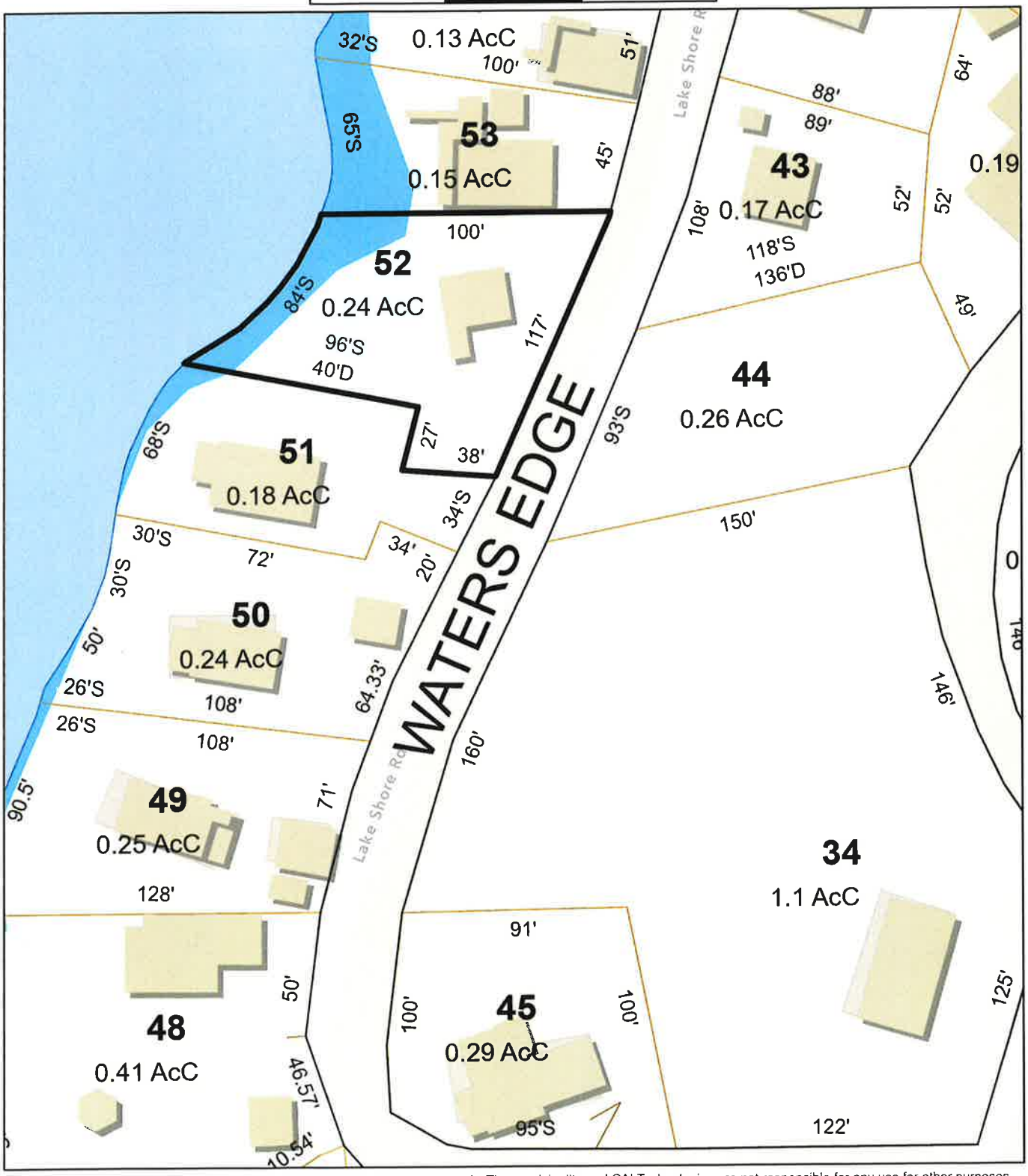
0 55 110 165

June 26, 2025

CAI Technologies

Precision Mapping. Geospatial Solutions.

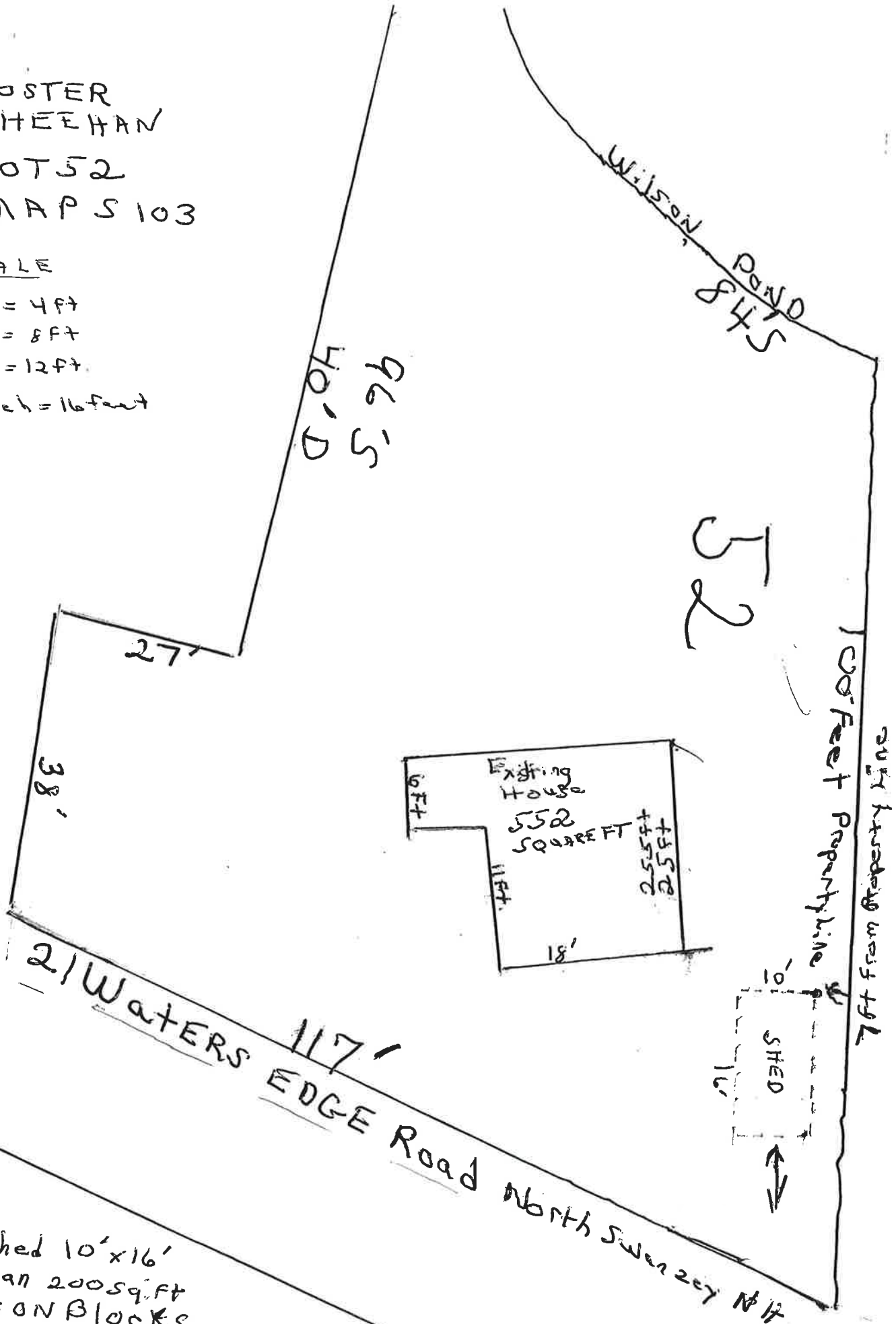
www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

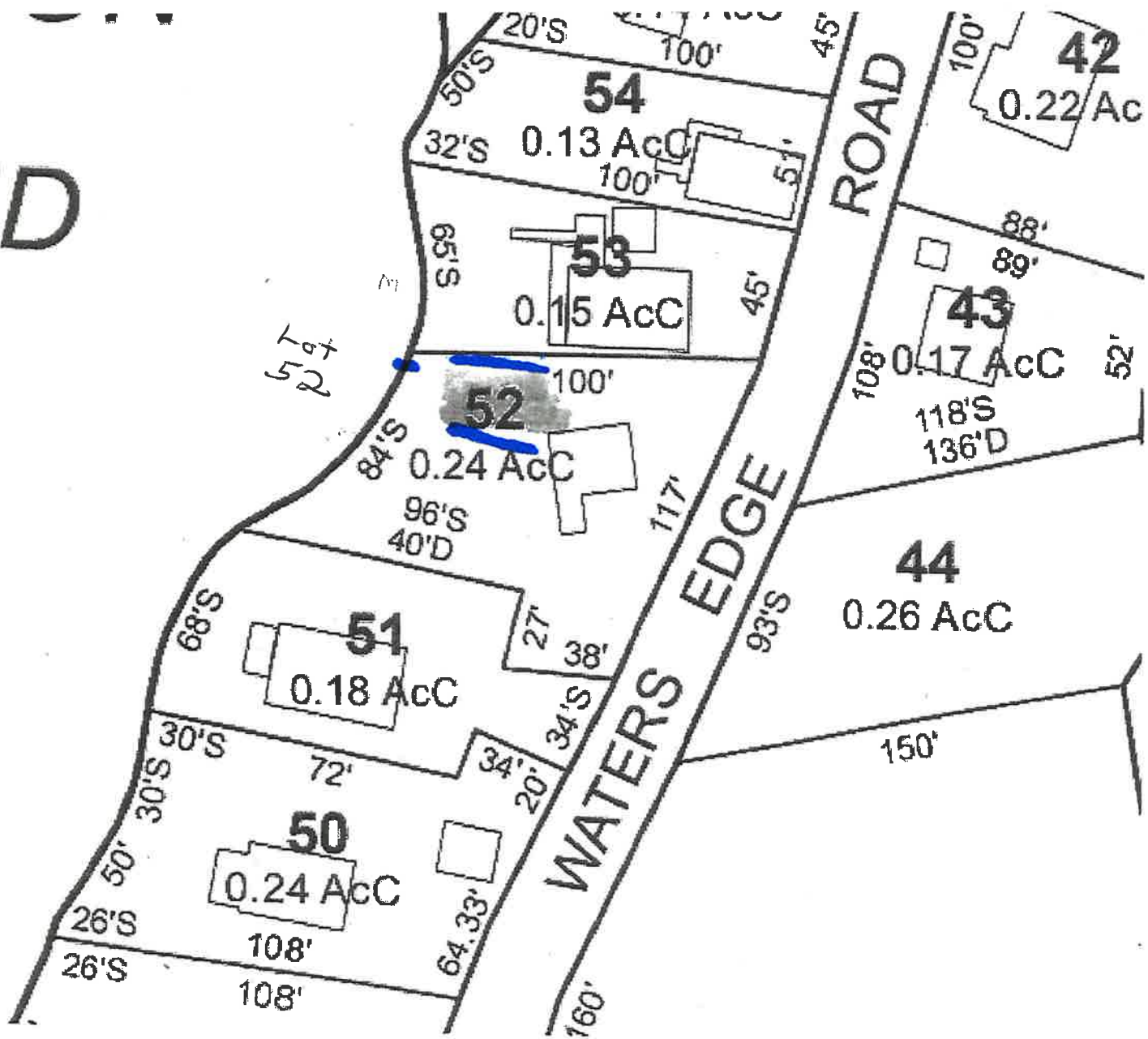
FOSTER
SHEEHAN
LOT 52
MAPS 103

SCALE
$\frac{1}{4}$" = 4ft
$\frac{1}{2}$" = 8ft
$\frac{3}{4}$" = 12ft
1 inch = 16 feet



K TACK Shed 10'x16'
Less than 200sq.ft
Pervious ON Blocks

PREBUILT



Sheehan/FOSTER Lot 52 MAP S103
21 Waters Edge Rd. Northwanzey NH 03431





TOWN OF SWANZEY

P.O. Box 10009
620 Old Homestead Hwy.
Swanzey, NH 03446

OUTBUILDING

FILE

Place in a Conspicuous Location at Start of Construction

Permit Number: 25-290 **Date:** 06/04/2025

Map Lot LotCut Bldg Condo: 103/52/0/0/0

Permit issued to: SHEEHAN, BARBARA A

at: 21 WATERS EDGE RD

Permission to: PLACE AND UTILIZE SHED.

Owner Address: 21 WATERS EDGE RD NORTH SWANZEY, NH 03431-4552 | Phone:

Applicant: BARBARA SHEEHAN | Phone: 603-318-9037

Contractor: SELF | Phone: | License #:

Permit Fee: $0.00 | Estimated Cost: $5,000

NOTE: 168 SQFT SHED NO FEE.

Town of Swanzey

Building Permit Application

Permit #: _____
Permit Fee: _____
(This area for office use only)

PO Box 10009
620 Old Homestead Hwy
Swanzey, NH 03446

603-352-7411 x105
code@swanzeynh.gov

Map # 103 / 52 / 0
Lot # 0 / 0 / 0
Zoning District _____

Owner & Property Information

Owner Name (s): Sheehan Barbara A Foster Timothy F.
Owner Phone Number (s): 1-603 318 9087 (Tim) 1-928302 0972 (Barbara)
Owner Email (s): barbara7127@gmail.com timfoster21@gmail.com
Site Address: 21 Waters Edge Rd Northswanzey NH Map/Lot: 103 / 52 / 0 / 0 / 0
Number *Street* ZIP 03431
Mailing Address if Different: Same
Number *Street*

Licensed Tradesperson

Full Legal Name *License # & Exp. date*

Electrician: Not Applicable _____
Phone # _____ Email: _____
Company Name: _____

CODE ENFORCEMENT OFFICER
PERMIT ISSUED / DENIED
DATE 6/4/25

Plumber: Not Applicable _____
Phone # _____ Email: _____
Company Name: _____

Mechanical: Not Applicable _____
Phone # _____ Email: _____
Company Name: _____

Contractor/Other: Not Applicable _____
Phone # _____ Email: _____
Company Name: _____

General Description of Work

Total estimated cost of work: $ Tuck shed dropped off by Blueberry Hill sheds 5600 dollars 16'x16'

General Description of work:
* We asked permission from 17 Waters Edge if ok. Jarzebek said ok. asked 20 Waters Edge they said it was ok. before buying shed
it is Not a permanent structure Less than 200sq.ft

Proposed use: Residential ✓ Commercial ____ Industrial ____ Institutional ____ Demolition ____

* This for tax information per Kevin

Continue on Next Page

AUTUMN M CROKE
NOTARY PUBLIC
MY COMMISSION EXPIRES 5/15/2029
STATE OF NEW HAMPSHIRE

se include with this application: (if applicable)

- Driveway Permit (obtain from Road Agent or NH Department of Transportation)
- ☐ Sketch (with dimensions) showing location of proposed building(s) and setbacks
- ☐ Floor Plan
- ☐ Dig Safe # _____
- ☐ Septic Approval (If applicable)
- ☐ Shoreland/Wetland Approval

Approved Storm Water Management Plan

Foundation Certification (As requested by the Code Enforcement Officer)

Track shed dropped off (Prebuilt) Blueberry Hill sheds

MAP 103/52/0/0/0

Conditions for Issuance of Permit

Permits issued are subject to the following restrictions and limitations:

1. Permit expires one (1) year from date of issue.
2. **Building or space is not to be occupied** until a Certificate of Occupancy is issued by the Town.
3. Department approval must be completed before Certificate of Occupancy can be issued.
4. **Signature(s) on this building permit authorizes the Code Official, Assessor or their agents, for the Town of Swanzey to conduct inspections from time to time during and upon completion of the work for which this permit is being issued.**
5. It is incumbent on the applicant to call for inspections when necessary. The Inspector must be given a minimum 48-hour notice for inspection.

☑ **In accordance with RSA 676:11-17, I understand that any violation of the above terms and conditions, or willful misrepresentation of any information on this application will result in legal action against me and will subject me to civil penalties of $275 for the first offense, and $550 for subsequent offenses, for each day that such violation is found to continue.**

Affidavit by Property Owner or Authorized Agent/Tradesperson

I acknowledge that all work will be performed in accordance with the State of New Hampshire building and Fire Codes, and that the installations and equipment will not be utilized until a Certificate of Occupancy has been issued for the work described above.

Please indicate that you are the owner or authorized agent/tradesperson:

☑ **I am the owner of the property** ☐ **I am the authorized agent/tradesperson**

Signature	Print Name	Date
Barbara A. Sheehan	Barbara A. Sheehan	06/04/2025
Barbara A. Sheehan	Timothy F. Foster	06/04/2025

ANTHONY M. CROKE NOTARY PUBLIC MY COMMISSION EXPIRES 5/15/2029 STATE OF NEW HAMPSHIRE

(Office Use Only) **Land Use, Zoning and Utilities**

CODE ENFORCEMENT OFFICER PERMIT ISSUED / DENIED DATE 6/4/25

Does the proposed construction meet any of the following criteria?

Approved Site Plan (Yes / No)

Shoreland Protection Zone (Yes / No)

Within 50 feet of a Wetland Area (Yes / No)

Flood Hazard Area – per the Flood Insurance Rate Map (Yes / No)

City Water (Yes / No)

City Sewer (Yes / No)

Is this lot or any portion of this lot under current use assessment per RSA 79-A? ____ Yes ____ No

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

Memorandum – Office of Planning & Economic Development

TO: Zoning Board of Adjustment

FROM: Adam Paquette, Town Planner

DATE: **August 12, 2025**

RE: ZBA # 25-014 – Variance – 21 Waters Edge Rd

Background:

Barbara Sheehan and Timothy Foster have requested a variance under Section IV, Article B.3 of the Town of Swanzey Zoning Ordinance to allow placement of a shed within the front setback. The property is identified as Tax Map 103, Lot 52, located in the Residence District. Notice of Public Hearing was mailed to abutters on August 7 and published in the Keene Sentinel on August 16.

Discussion:

The applicants are seeking approval to locate a shed within the required 30 foot front setback. The structure is positioned approximately 7 feet from Waters Edge Road and roughly 5 feet from the property line. The shed, purchased from Blueberry Hill Sheds, was installed without first obtaining a building permit. Subsequently, the Town issued a permit in error without Zoning Board review. The applicants are now seeking this variance to remedy that oversight.

The shed measures approximately 160 square feet and is placed in the only feasible location on the lot. It is aligned with, or set farther back than, several other structures along Waters Edge Road. A staff site visit confirmed that sight lines for the road remain clear and comparable to existing conditions in the area.

Department Head and Staff Review:

Conservation Commission:

Concerns about the shed's placement were raised by some abutters during a Conservation Commission meeting; however, staff does not have a record of those specific comments.

Planning:

Staff recommends approval of the variance. The applicants have submitted letters of support from adjacent property owners. Although the original building permit was issued in error without prior ZBA approval, the applicants are acting in good faith to correct the situation. Staff finds

that the proposal meets the criteria required for granting a variance.

Preliminary research by staff indicates that a Shoreland Permit from the NH Department of Environmental Services (DES) is likely not required. However, it remains the applicants' responsibility to confirm this. DES offers an online guidance tool to help determine whether a project requires a Shoreland Permit, available here:

https://www.des.nh.gov/land/waterfront-development/protected-shoreland

Shoreland Phone Number: (603) 271-2147

Shoreland Email: shoreland@des.nh.gov

Attachments:

A. Variance Application
B. Site Photos
C. Tax Map

Note from 9/8/2025:

Further research has indicated that a Shoreland Permit permit IS REQUIRED. A condition of approval should include approval of NH DES Shoreland Permit.

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

Memorandum – Office of Planning & Economic Development

TO: Zoning Board of Adjustment

FROM: Adam Paquette, Town Planner

DATE: **September 8, 2025**

RE: ZBA #25-015 – Special Exception – 35 Katie Lane – Tax Map 254 Lot 59

Background:

Shane and Jaime Powell have submitted an application for a Special Exception under Section IV, Article A.2.m of the Town of Swanzey Zoning Ordinance. The request is to construct an accessory structure measuring 2,700 square feet with a height of 28.5 feet at 35 Katie Lane (Tax Map 254, Lot 59), located in the Rural/Agricultural District.

Abutter notifications were mailed on September 2, and a legal notice was published in the *Keene Sentinel* on September 13.

Discussion:

The special exception is being requested in accordance with Section IV, Article A.2.m of the Town of Swanzey Zoning Ordinance, shown here:

> **2.** In addition to the aforementioned permitted uses, the following are permitted after the issuance of a Special Exception by the Board of Adjustment:

> **m.** Accessory buildings having a footprint of 1000 s.f. or greater or 25 feet or more in height. (Adopted March 11, 2008)

The parcel is 2.77 acres with 134 feet of frontage. The Rural/Agricultural District requires 3 acres and 225 feet of frontage. While the lot is non-conforming in size and frontage, accessory structures are permitted under Section III, Article C and Section XI, Article C.

C. Accessory Uses and Accessory Buildings

1. Any accessory use or any accessory building which is customarily incidental to the principal use or building located on the same lot with the principal use or building shall be permitted in all Districts.

2. Accessory uses shall not include the deposit or placing outside of any building any waste, refuse or ashes, or the storage of any gasoline or oils.

3. For residential properties, one (1) single-story storage shed up to two-hundred (200) square feet in area may be located up to five (5) feet from the side or rear property lines, but must still comply with the front setback requirement. (Amended March 10, 2020; March 14, 2023)

C. Non-conforming Lot: A non-conforming lot may be developed for the uses permitted in the district in which it is located provided that the use proposed for such lot will comply with all health and sanitary regulations for water and sewage systems as required by the State and Town and provided that it complies with all other requirements of this Ordinance or amendments thereto, including but not limited to Sections III.E. and III.M

1. In addition to the above requirements, a non-conforming lot located in the Shorelands Protection Overlay District shall comply with the current regulations of the Department of Environmental Services without waivers as of the date of application for a building permit.

The proposed structure is located outside of the Town's Shoreland Protection District, but is subject to state standards. The applicants have secured NH DES Shoreland Impact Permit #2025-01663, which is included with the application.

The structure will connect to the existing well and septic system. Proposed uses include non-commercial dog training, recreation, and general household storage. The applicants have stated there will be no hazardous materials stored, no exterior amplified sound systems, and no continuous commercial traffic. Access will be granted via the existing driveway and curb cut on Katie Lane.

Department Head and Staff Review:

Department Heads were notified of the application on August 26. As of the time of writing this memo, no comments have been received. Any comments received will be presented to the Zoning Board at the time of the hearing.

Planning

1. Additional details are needed regarding erosion control measures, including dimensions and design review.
2. Given the size of the proposed structure, appropriate screening from neighboring parcels should be considered.

Attachments:

A. Application
B. Tax Map

APPLICATION FOR SPECIAL EXCEPTION **MAP:** 254 **LOT:** 59
TOWN OF SWANZEY (Revised 8/22)

To: Board of Adjustment, Town of Swanzey:

NAME OF APPLICANT:	**MAILING ADDRESS OF APPLICANT:**
Shane M. and Jaime T. Powell	35 Katie Lane Swanzey, NH 03446
Contact phone number: 614-670-2043	shanempowell@gmail.com
OWNER OF PROPERTY: (If same as applicant, write "same") same	**MAILING ADDRESS OF OWNER:** (If same as applicant, write "same") same

LOCATION OF PROPERTY (Give Zoning District in which located & current street address)
Rural/Agricultural Zone
35 Katie Lane, Swanzey, NH 03446

FEES:

- Application fee: $75
- Current rates for Keene Sentinel Legal Notices
- $10/abutter certified mail notice

Fees will be billed and **must** be paid prior to public hearing.

1. ☑ **SITE PLAN –** The site plan need not be done professionally, but **must** be to scale; the scale should be appropriate for the size of the project & the plan must be readable. Plans must indicate the size of the lot in acres or square feet, show the placement of all **existing** and **proposed** buildings on the lot and include setbacks required by the zoning ordinance. The plan must include a written and visual depiction of the scale used.

2. ☑ If applicable, indicate on the Site Plan the location of:

- Septic system and/or leach field
- Water supply
- Curb cuts
- Parking area (and size of parking spaces)
- Waterways
- Wetland areas
- Tree lines
- Drainage ways
- Loading docks
- Underground tank locations
- Impervious surfaces

It is the applicant's responsibility for including all information on the plan that is pertinent to their application and proposed project.

3. ☑ Attach completed and up-to-date listing of ALL abutters with addresses.

4. ☑ Provide a brief description of the project/request.

A Special Exception is requested from the terms of Section IV, Article A (2) (m) of the Zoning Ordinance of the Town of Swanzey.

FACTS IN SUPPORT OF GRANTING THE SPECIAL EXCEPTION:

1. The proposed use is similar to one or more of the uses already authorized in the district and is an appropriate location for such a use because:

See Attached "Exhibit A"

2. Such approval would not reduce the value of any property within the district, nor otherwise be injurious, obnoxious, or offensive to the neighborhood because:

See Attached "Exhibit A"

3. There will be no nuisance or serious hazard to vehicle or pedestrians because:

See Attached "Exhibit A"

4. Adequate and appropriate facilities will be provided for the proper operations of the proposed use because:

See Attached "Exhibit A"

/s/ Shane M. and Jaime T. Powell _____ Date: 8/25/2025

Signature of Applicant

/s/ Shane M. and Jaime T. Powell _____ Date: 8/25/2025

Signature of Property Owner

THIS SPECIAL EXCEPTION IS HEREBY:

☐ **GRANTED** ☐ **DENIED**

by the Swanzey Zoning Board of Adjustment. The following are reasons and/or conditions:

CHECKLIST FOR GRANTING A SPECIAL EXCEPTION
(for use by Swanzey Zoning Board of Adjustment)

The Board of Adjustment shall have the power to hear and decide Special Exceptions to the terms of the Zoning Ordinance, and in doing so, may grant approval in appropriate cases and subject to appropriate conditions and safeguards for the protection of the public health, safety, and welfare. Special Exceptions may be approved if the Board finds in the affirmative that:

1. The proposed use is similar to one or more of the uses already authorized in the district and is an appropriate location for such a use

_____ _____
Yes No

2. Such approval would not reduce the value of any property within the district, nor otherwise be injurious, obnoxious, or offensive to the neighborhood

_____ _____
Yes No

3. There will be no nuisance or serious hazard to vehicle or pedestrians

_____ _____
Yes No

4. Adequate and appropriate facilities will be provided for the proper operations of the proposed use

_____ _____
Yes No

Exhibit A — Narrative in Support of Special Exception

35 Katie Lane (Map/Lot: 254/59)
Applicant/Owner: Shane M. & Jaime T. Powell
Zoning: Rural / Agricultural Zone — Request relief under **Article IV, A(2)(m)**.
(Applicant's submitted form and checklist are on file with the Town).

Brief project description

The applicant requests permission to construct and use a 45'x60'x 28'3.5" accessory structure on the property at 35 Katie Lane for non commercial dog training, recreation and general household storage. The structure is accessory to the existing residence, sited to respect setbacks and natural screening, and will use the existing well and septic (no new water or septic hookup made to the new structure). Site drawings, setbacks, septic/well location, driveway and other requested information are included in the attached site plan (submitted as Exhibit B to the Town). Applicant's have received a Shoreland Permit from NH DES attached hereto as Exhibit D.

FACTS IN SUPPORT OF GRANTING THE SPECIAL EXCEPTION:

1. The proposed use is similar to one or more of the uses already authorized in the district and is an appropriate location for such a use because:

Accessory agricultural/outbuilding uses — including barns, animal care structures, and training areas — are customary in the Rural/Agricultural District. The proposed barn is accessory and subordinate to the dwelling, modest in scale relative to typical agricultural outbuildings, and sited behind existing tree lines to preserve the rural streetscape. Its primary function (sheltered care and training for household animals) is consistent with the character and intended uses of the district, and the attached site plan demonstrates compliance with required standards.

2. Such approval would not reduce the value of any property within the district, nor otherwise be injurious, obnoxious, or offensive to the neighborhood because:

The proposed use will not introduce industrial activity or conditions that typically depress property values. The operation is residential in nature: no hazardous materials beyond household maintenance supplies, no exterior amplified sound systems, and no continuous commercial traffic. The applicants will rely on structure placement, limited nighttime lighting, and routine residential operating practices to avoid nuisances. Given the accessory character and the mitigation built into siting and design, the use will be compatible with neighboring properties.

3. There will be no nuisance or serious hazard to vehicle or pedestrians because:

Access is via the existing driveway on Katie Lane with no new curb cut required. Anticipated traffic counts are minimal (owners' vehicles and occasional private visitors) and will be accommodated on-site; the site plan shows adequate on-site parking so there will be no queuing on the road. Sight lines at the driveway meet safe stopping distances for the posted speed, and the project does not alter road alignment or impede emergency access. Therefore the proposed use poses no increased hazard to vehicles or pedestrians.

4. Adequate and appropriate facilities will be provided for the proper operations of the proposed use because:

The property's existing well and septic will serve the accessory structure via access from the main residence (ie no water or septic are currently planned for the accessory building); no new wastewater discharge beyond residential levels is expected. The interior will be insulated and finished with drywall to minimize sound in addition to keeping a stable temperature for the use of the building. Flooring on the lower level will be rubber matting which will provide a soft, slip resistant surface for dogs and handlers. Construction of the building, including electrical and hvac work will be installed to code and necessary permits pulled prior to commencing work. Hard wired smoke detectors will be installed per code for fire safety. Necessary permitting from the town will be obtained if any building use changes such as conversion of the second story into an ADU or using the first floor for a business/commercial purpose.

Other Exhibits submitted with this narrative in support of Application

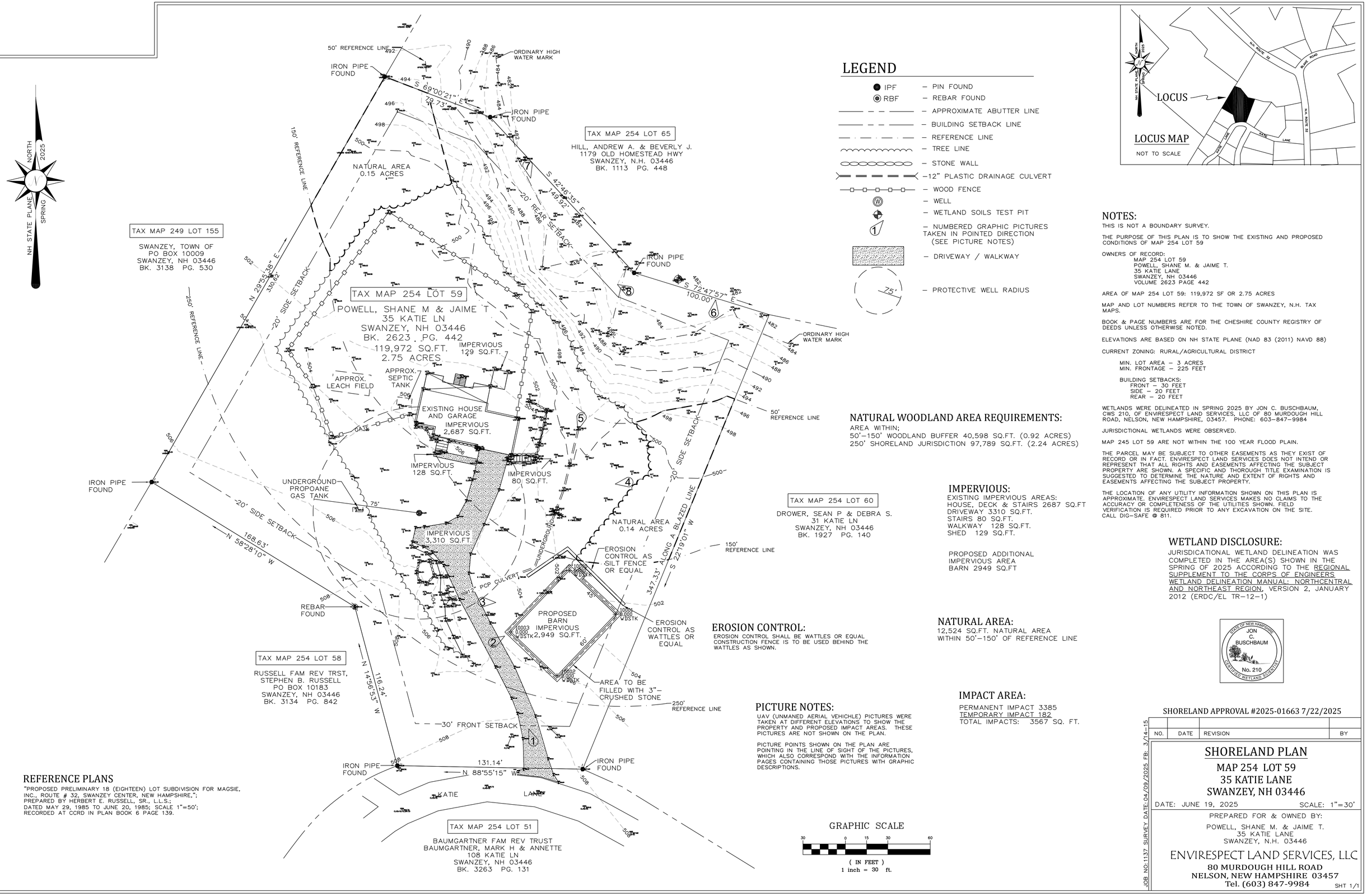
- Exhibit B- Scaled Site Plan
- Exhibit C- Abutter list and mailing addresses.
- Exhibit D- Shoreland Permit
- Exhibit E- Building Rendering

Conclusion / Requested relief

For the reasons summarized above — accessory use consistent with the Rural/Agricultural District, minimal traffic and noise impact, safe access and adequate on-site facilities — the Applicant respectfully requests that the Swanzey Zoning Board of Adjustment grant the Special Exception under Article IV, A(2)(m) to allow construction and residential accessory use of the 45’x60’x28’3.5” proposed structure at 35 Katie Lane.

Respectfully submitted,
Shane M. & Jaime T. Powell
35 Katie Lane, Swanzey, NH

Date: August 25, 2025



LEGEND

- IPF – PIN FOUND
- RBF – REBAR FOUND
- – APPROXIMATE ABUTTER LINE
- – BUILDING SETBACK LINE
- – REFERENCE LINE
- – TREE LINE
- – STONE WALL
- –12" PLASTIC DRAINAGE CULVERT
- – WOOD FENCE
- W – WELL
- – WETLAND SOILS TEST PIT
- 1 – NUMBERED GRAPHIC PICTURES TAKEN IN POINTED DIRECTION (SEE PICTURE NOTES)
- – DRIVEWAY / WALKWAY
- 75' – PROTECTIVE WELL RADIUS

NOTES:

THIS IS NOT A BOUNDARY SURVEY.

THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING AND PROPOSED CONDITIONS OF MAP 254 LOT 59

OWNERS OF RECORD:
MAP 254 LOT 59
POWELL, SHANE M. & JAIME T.
35 KATIE LANE
SWANZEY, NH 03446
VOLUME 2623 PAGE 442

AREA OF MAP 254 LOT 59: 119,972 SF OR 2.75 ACRES

MAP AND LOT NUMBERS REFER TO THE TOWN OF SWANZEY, N.H. TAX MAPS.

BOOK & PAGE NUMBERS ARE FOR THE CHESHIRE COUNTY REGISTRY OF DEEDS UNLESS OTHERWISE NOTED.

ELEVATIONS ARE BASED ON NH STATE PLANE (NAD 83 (2011) NAVD 88)

CURRENT ZONING: RURAL/AGRICULTURAL DISTRICT

MIN. LOT AREA – 3 ACRES
MIN. FRONTAGE – 225 FEET

BUILDING SETBACKS:
FRONT – 30 FEET
SIDE – 20 FEET
REAR – 20 FEET

WETLANDS WERE DELINEATED IN SPRING 2025 BY JON C. BUSCHBAUM, CWS 210, OF ENVIRESPECT LAND SERVICES, LLC OF 80 MURDOUGH HILL ROAD, NELSON, NEW HAMPSHIRE, 03457. PHONE: 603–847–9984

JURISDICTIONAL WETLANDS WERE OBSERVED.

MAP 245 LOT 59 ARE NOT WITHIN THE 100 YEAR FLOOD PLAIN.

THE PARCEL MAY BE SUBJECT TO OTHER EASEMENTS AS THEY EXIST OF RECORD OR IN FACT. ENVIRESPECT LAND SERVICES DOES NOT INTEND OR REPRESENT THAT ALL RIGHTS AND EASEMENTS AFFECTING THE SUBJECT PROPERTY ARE SHOWN. A SPECIFIC AND THOROUGH TITLE EXAMINATION IS SUGGESTED TO DETERMINE THE NATURE AND EXTENT OF RIGHTS AND EASEMENTS AFFECTING THE SUBJECT PROPERTY.

THE LOCATION OF ANY UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. ENVIRESPECT LAND SERVICES MAKES NO CLAIMS TO THE ACCURACY OR COMPLETENESS OF THE UTILITIES SHOWN. FIELD VERIFICATION IS REQUIRED PRIOR TO ANY EXCAVATION ON THE SITE. CALL DIG–SAFE @ 811.

NATURAL WOODLAND AREA REQUIREMENTS:

AREA WITHIN;
50'–150' WOODLAND BUFFER 40,598 SQ.FT. (0.92 ACRES)
250' SHORELAND JURISDICTION 97,789 SQ.FT. (2.24 ACRES)

IMPERVIOUS:

EXISTING IMPERVIOUS AREAS:
HOUSE, DECK & STAIRS 2687 SQ.FT
DRIVEWAY 3310 SQ.FT.
STAIRS 80 SQ.FT.
WALKWAY 128 SQ.FT.
SHED 129 SQ.FT.

PROPOSED ADDITIONAL IMPERVIOUS AREA
BARN 2949 SQ.FT

WETLAND DISCLOSURE:

JURISDICATIONAL WETLAND DELINEATION WAS COMPLETED IN THE AREA(S) SHOWN IN THE SPRING OF 2025 ACCORDING TO THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2, JANUARY 2012 (ERDC/EL TR–12–1)

NATURAL AREA:

12,524 SQ.FT. NATURAL AREA
WITHIN 50'–150' OF REFERENCE LINE

EROSION CONTROL:

EROSION CONTROL SHALL BE WATTLES OR EQUAL CONSTRUCTION FENCE IS TO BE USED BEHIND THE WATTLES AS SHOWN.

PICTURE NOTES:

UAV (UNMANED AERIAL VEHICHLE) PICTURES WERE TAKEN AT DIFFERENT ELEVATIONS TO SHOW THE PROPERTY AND PROPOSED IMPACT AREAS. THESE PICTURES ARE NOT SHOWN ON THE PLAN.

PICTURE POINTS SHOWN ON THE PLAN ARE POINTING IN THE LINE OF SIGHT OF THE PICTURES, WHICH ALSO CORRESPOND WITH THE INFORMATION PAGES CONTAINING THOSE PICTURES WITH GRAPHIC DESCRIPTIONS.

IMPACT AREA:

PERMANENT IMPACT 3385
TEMPORARY IMPACT 182
TOTAL IMPACTS: 3567 SQ. FT.

REFERENCE PLANS

"PROPOSED PRELIMINARY 18 (EIGHTEEN) LOT SUBDIVISION FOR MAGSIE, INC., ROUTE # 32, SWANZEY CENTER, NEW HAMPSHIRE,";
PREPARED BY HERBERT E. RUSSELL, SR., L.L.S.;
DATED MAY 29, 1985 TO JUNE 20, 1985; SCALE 1"=50';
RECORDED AT CCRD IN PLAN BOOK 6 PAGE 139.

GRAPHIC SCALE

30 0 15 30 60
(IN FEET)
1 inch = 30 ft.

STATE OF NEW HAMPSHIRE
JON C. BUSCHBAUM
No. 210
CERTIFIED WETLAND SCIENTIST

SHORELAND APPROVAL #2025-01663 7/22/2025

NO.	DATE	REVISION	BY

SHORELAND PLAN

MAP 254 LOT 59
35 KATIE LANE
SWANZEY, NH 03446

DATE: JUNE 19, 2025 SCALE: 1"=30'

PREPARED FOR & OWNED BY:
POWELL, SHANE M. & JAIME T.
35 KATIE LANE
SWANZEY, N.H. 03446

ENVIRESPECT LAND SERVICES, LLC
80 MURDOUGH HILL ROAD
NELSON, NEW HAMPSHIRE 03457
Tel. (603) 847-9984

JOB NO:1137 SURVEY DATE:04/09/2025 FB: 3/14–15

SHT 1/1

100 feet Abutters List Report

Swanzey, NH
April 13, 2025

Subject Property:

Parcel Number:	254-059-000	Mailing Address:	POWELL, SHANE M & JAIME T
CAMA Number:	254-059-000-000		35 KATIE LN
Property Address:	35 KATIE LN		SWANZEY, NH 03446

Abutters:

Parcel Number:	249-154-000	Mailing Address:	CARLIN REV TRUST, PAULINE M
X CAMA Number:	249-154-000-000		72 COUNTY RD
Property Address:	OLD HOMESTEAD HWY		BEDFORD, NH 03110
Parcel Number:	249-155-000	Mailing Address:	SWANZEY, TOWN OF
CAMA Number:	249-155-000-000		PO BOX 10009
Property Address:	SWANZEY LAKE RD		SWANZEY, NH 03446
Parcel Number:	254-051-000	Mailing Address:	BAUMGARTNER FAM REV TRUST
CAMA Number:	254-051-000-000		BAUMGARTNER, MARK H & ANNETTE
Property Address:	108 KATIE LN		108 KATIE LN
			SWANZEY, NH 03446
Parcel Number:	254-058-000	Mailing Address:	RUSSELL FAM REV TRST,STEPHEN B
CAMA Number:	254-058-000-000		39 KATIE LN PO BOX 10183
Property Address:	39 KATIE LN		SWANZEY, NH 03446
Parcel Number:	254-060-000	Mailing Address:	DROWER, SEAN P & DEBRA S
CAMA Number:	254-060-000-000		31 KATIE LN
Property Address:	31 KATIE LN		SWANZEY, NH 03446
Parcel Number:	254-065-000	Mailing Address:	HILL, ANDREW A & BEVERLY J
CAMA Number:	254-065-000-000		1179 OLD HOMESTEAD HWY
Property Address:	1179 OLD HOMESTEAD HWY		SWANZEY, NH 03446

www.cai-tech.com
Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

SHORELAND IMPACT PERMIT 2025-01663

NOTE CONDITIONS

PERMITTEE:	**JAMIE T/SHANE M POWELL** **35 KATIE LANE** **SWANZEY NH 03446**
PROJECT LOCATION:	**35 KATIE LANE, SWANZEY** **Tax Map/Block/Lot(s): 254/no block/59**
WATERBODY:	**MARTINS BROOK**
APPROVAL DATE:	**JULY 22, 2025** **EXPIRATION DATE: JULY 22, 2030**

Shoreland Permit Application 2025-01663 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

PERMIT DESCRIPTION:
Impact 3,567 square feet (SF) within the protected shoreland in order to construct a 45 foot x 60 foot barn.

Impervious Surface Percentage Approved: 9.5%

Natural Woodland Area Required per RSA 483-B:9, V, (b): 10,150 SF.

THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):

1. All work shall be in accordance with plans by Envirespect Land Services, LLC dated June 19, 2025 and received by the New Hampshire Department of Environmental Services (NHDES) on June 24, 2025 pursuant to Env-Wq 1406.15(f).
2. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
3. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.

5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

APPROVED:



Craig W. Day
Shoreland/Shoreline Specialist, Shoreland Program
Wetlands Bureau, Land Resources Management
Water Division

THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))

PERMITTEE SIGNATURE (required)

PRINCIPAL CONTRACTOR SIGNATURE (required, if any)

35 KATIE LANE
SWANZEY, NH





LAYOUT PAGE TABLE	
LABEL	TITLE
	COVER
A 1	FIRST FLOOR PLAN
A 2	SECOND FLOOR PLAN
A 3	ROOF PLAN
A 4	FRONT & REAR ELEVATIONS
A 5	LEFT & RIGHT SIDE ELEVATIONS
A 6	CROSS SECTION A
A 7	CROSS SECTION B
A 8	CROSS SECTION C
A 9	STEEL DETAILS
A 10	3D POSTS & BEAMS
S 0	FOUNDATION PLAN
S 1	SECOND FLOOR FRAMING
S 2	CEILING FRAMING
S 3	ROOF FRAMING
FPP	FIRE PROTECTION PLANS

NEWFOUND LAKE HOME DESIGN
11 HIGH POINT, UNIT C
ALEXANDRIA, NH 03222
www.NewfoundLakeHomeDesign.com
978-692-0006

DRAWINGS: ED BUCKINGHAM

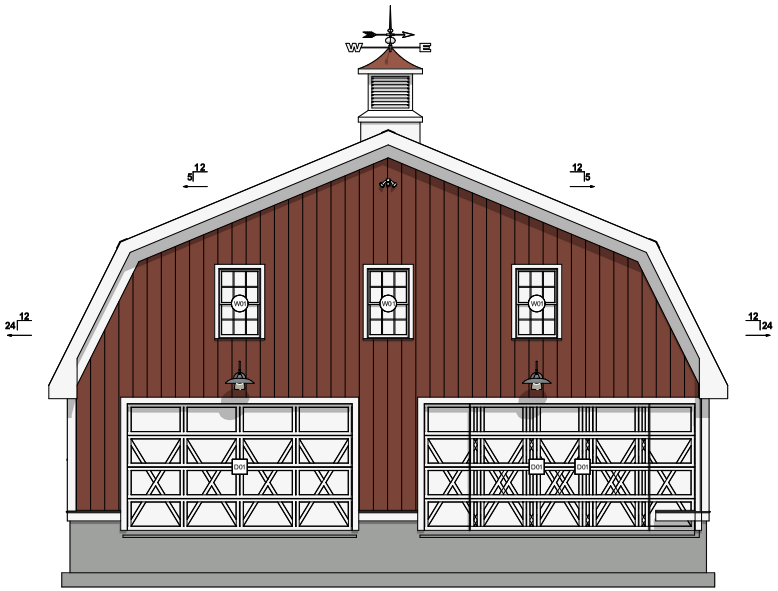
REVISIONS	BY	DATE

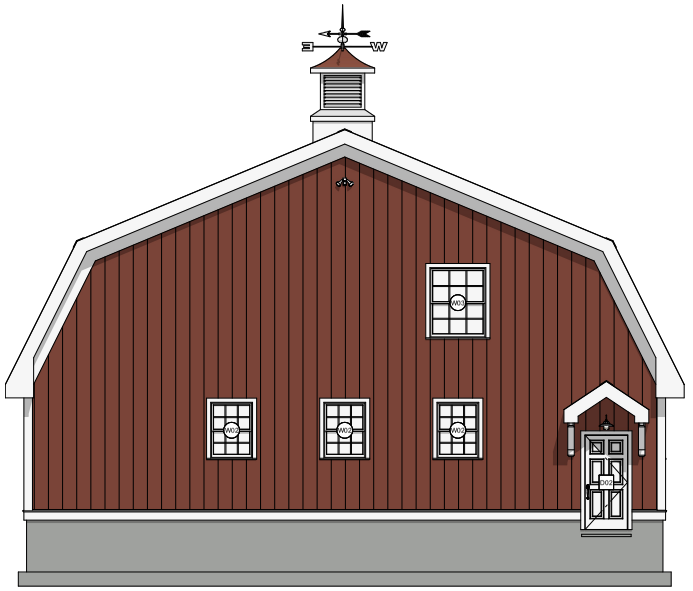
35 KATIE LANE
SWANZEY, NH

FRONT & REAR RENDERINGS

DATE:
7/22/2025

SHEET:
COVER





FRONT & REAR ELEVATIONS

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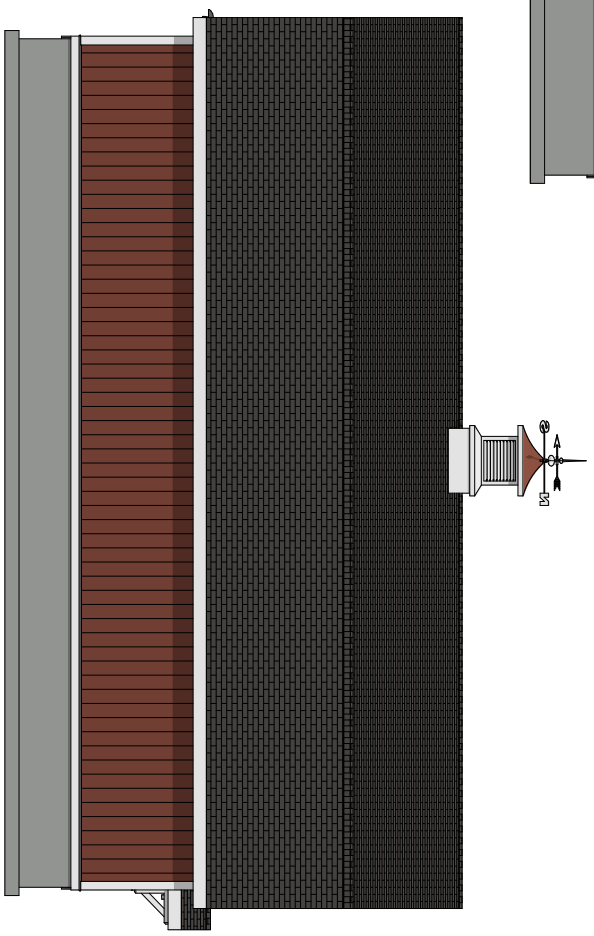
FRONT & REAR ELEVATIONS

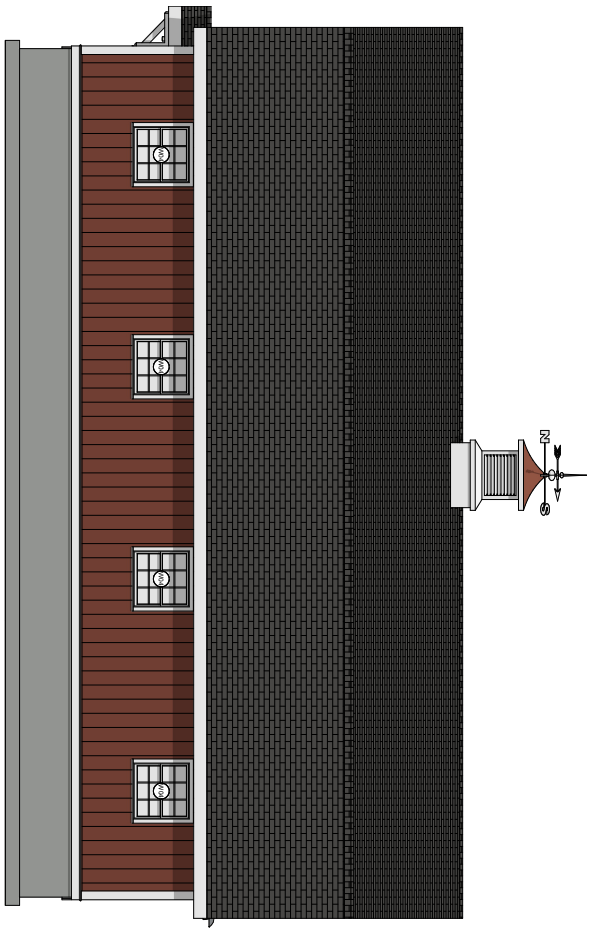
DATE:
7/22/2025

SCALE:
1/4" = 1'

SHEET:
A 4

LEFT & RIGHT SIDE ELEVATIONS





SHEET: A 5	SCALE: 1/4" = 1'	DATE: 7/22/2025	LEFT & RIGHT SIDE ELEVATIONS	35 KATIE LANE SWANZEY, NH	DRAWINGS: ED BUCKINGHAM REVISIONS / BY / DATE

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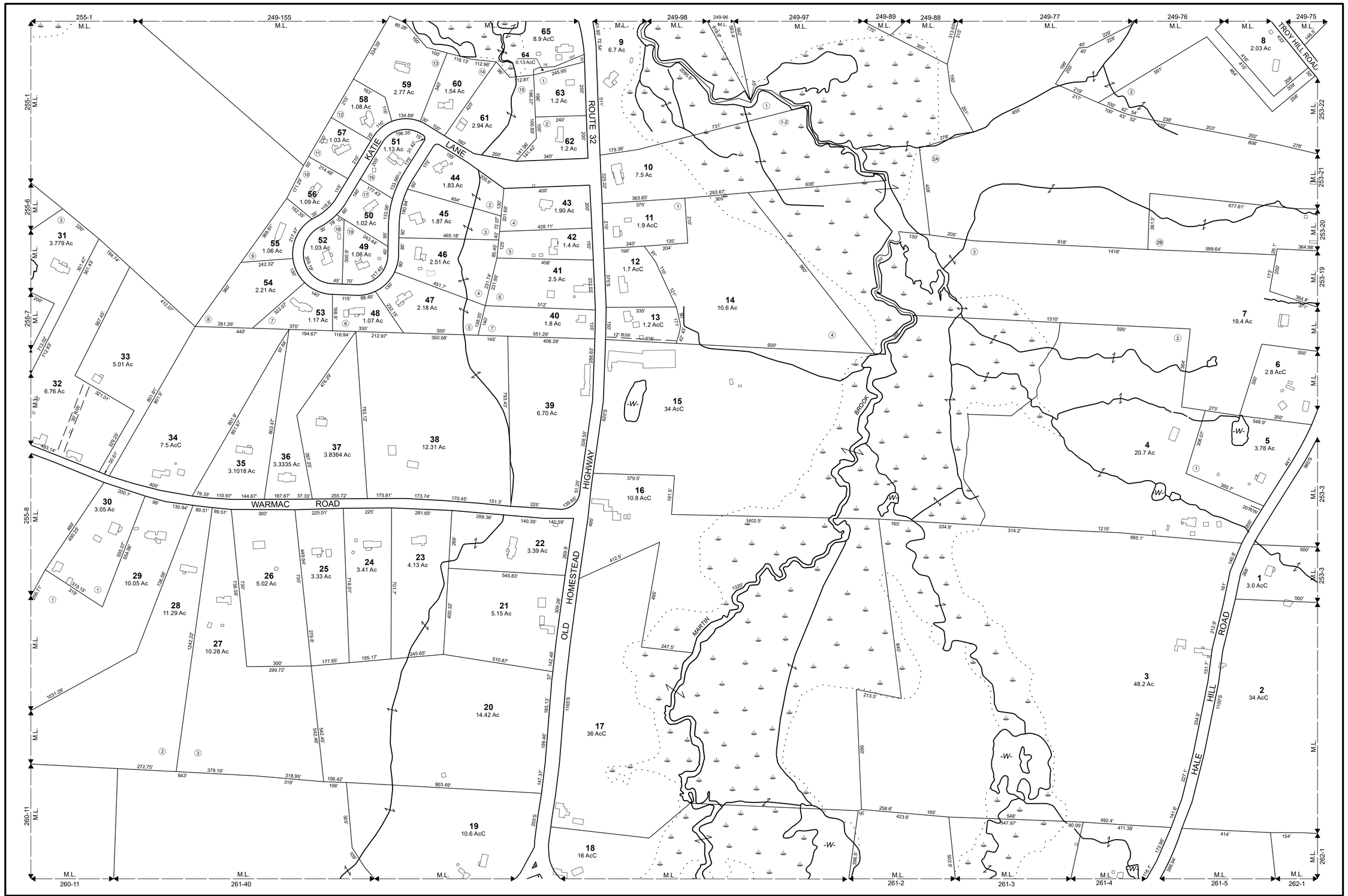
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Wetlands Bureau, Land Resources Management
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PERMITTEE SIGNATURE (required)

PRINCIPAL CONTRACTOR SIGNATURE (required, if any)



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD 83.

PHOTOGRAPHY DATE: APRIL 2021

COMPLETION DATE: DECEMBER 31, 2023

PRODUCED IN 2023 BY

CAI Technologies
Precision Mapping. Geospatial Solutions.
11 Pleasant Street, Littleton, NH 03561
800.322.4540 - www.cai-tech.com

LEGEND

AREA SURVEYED - Ac
AREA CALCULATED - AcC
RECORD DIMENSION - 100'
SCALED DIMENSION - 100'S
MATCH LINE - M.L.
WATER - -W-
BUILDING
EXEMPT PROPERTY - (E)
SUBDIVISION LOT NO. - (2)
RIGHT OF WAY/ACCESS - RW
COMMON OWNERSHIP
WETLANDS

FEET 200 100 0 200 400 600
SCALE: 1" = 200'
METERS 50 25 0 50 100 150

REVISED TO: APRIL 1, 2023

PROPERTY MAPS

SWANZEY

NEW HAMPSHIRE

INDEX DIAGRAM

248	249	250
255	254	253
260	261	262

GN

MAP NO. 254