Town of Swanzey, New Hampshire
Swanzey Zoning Board of Adjustment (ZBA)
Meeting Minutes – **September 21, 2026**
Whitcomb Hall, Main Street, Swanzey, NH

CALL TO ORDER:
Vice Chair Ann Karasinski called to order the meeting at Whitcomb Hall at 7:00 p.m. Other members present were Jay Ward and Alternates Kyle Croteau, and Jessica Ramsey-Sanchez. Also present were Town Planner, Adam Paquette and Recording Secretary, Susan Ells.

ABSENT:
Chair Adam Mulhearn, Wayne Lechlider, Joe Parisi and Alternate Pete Delaney

OTHERS PRESENT:
Kai Kraemer with FACT TV, Chad Branon and Jenni Desautell (Fieldstone Land Consultants), Grayson Smith (GDS Landmark), Nancy Mosteller, Debora Murray, Debby Gove, George Nikerforakis, Virginia Pearson, Joe Mabe, as well as Chris Tymula and Bhumik Patel (Airhant Corporation)

SEATING ALTERNATES:
The chair seated Kyle Croteau for Adam Mulhearn, and Jessica Ramsey-Sanchez for Wayne Lechlider.

REGIONAL IMPACT:
Jay Ward made a motion that there was no regional impact. There was a second by Jessica Ramsey-Sanchez. All were in favor. With no further discussion, Motion passed.

MINUTES:
The meeting minutes of August 17, 2026 were considered. A motion was made by Jay Ward to approve the minutes as presented. A second was made by Kyle Croteau. All were in favor; the motion passed.

PUBLIC HEARING:
A. ZBA 26-007: A special exception pursuant to Section V, Article B.2.a of the Zoning Ordinance submitted by the Arihant Corporation to construct a new retail fuel canopy with 10 vehicle fueling positions and convert the existing canopy for diesel use with 3 fueling positions. The proposed project also includes installing new underground fuel storage tanks, re-striping the parking lot, and adding dedicated electric vehicle and commercial diesel parking spaces. The subject property is located at 765 W Swanzey Rd (Tax Map 232 Lot 52) within the business district.

Adam Paquette informed the applicant they could delay since there were only 4 members of the board present, not 5; the applicants chose to proceed.

Adam Paquette explained that because the property lacks a special exception for this use, it remains non-conforming until the exception is officially reviewed and approved. Staff believe the applicant has met all special exception criteria and recommend approval with no conditions. Special exceptions for fuel canopies were not required years ago when the business was originally started. The Conservation Commission had no comments.

Adam added that the applicants should be aware that additional review from NH DOT will be required once a site plan is submitted to the Planning Board.

Chair Karasinski opened the public hearing at 7:08pm.

Chris Tymula from Airhant Corporation explained to the Board that this property is in the business district. It was originally developed as a 1 story mixed use building with a Post Office, a diner and a grocery store; the property also has a gas station. The new owner wants to redevelop the building into a modern convenience store, add striping to the parking lot, plant more landscaping, improve the site lighting, provide ADA-compliant access, install EV charging stations, convert the existing canopy for 3 diesel filling stations, and add a retail fuel canopy for 10 vehicles and position it closer to the store similar to a usual convenience store. They have submitted the site plan to planning board and have already received the DoT permit because they are not changing curb cuts; there will be more details provided to the Planning Board.

Chair Karasinski asked if the propane tank would remain; Mr. Tymula explained it would be moved closer to the back of the building.

Jessica asked about the green space and Mr. Tymula showed on the plans where the green spaces will be added in the current parking area and where trees will be planted along the perimeter.

Chair Karasinski asked if anyone in the public had questions; Debra Murray said she lives on the end unit on Perry Lane and asked if there would be additional parking spaces for diesel trucks to park and idle long term. Mr. Tymula explained the 4 parking spaces for trucks are planned so that they can park while they use the store, or while they wait to fill up; the store will not be open overnight, but the pumps will be operational 24x7. Ms. Murray's second concern was the lighting and how obtrusive it is. Mr. Tymula explained that the new plans call for dark sky compliant lights which are downward facing so as not to cause light pollution. The existing canopies will be replaced and will not have the red band of lights.

Debby Gove is also a resident of Perry Lane, and she expressed the same concerns about lighting, fumes, and increased traffic. She added that she does appreciate the green space and asked to clarify there would be no expansion to the pavement. Mr. Tymula showed on the design the planned location of local plants and trees; he also stated the grassy area is within the property, and they won't be making any modifications there.

Debora Murray added that area kids play in parking lot and she's worried about their safety. Chair Karasinski said that someone has removed the gate from the fence along the line adjacent to the apartment building, but it is not the applicant's responsibility; it's the parents and the apartment complex owner's responsibility.

Mr. Tymula explained that his client wants to be a good neighbor and is making additional improvements to this property.

Adam Paquette then read a letter from Chris Schmitt of 49 Perry Lane expressing concern about the project.

Joe Mabe, owner of Hyperbaric Fitness, which is across the street from the property, pointed out that Swanzey needs businesses and jobs, and he feels this business would work well in the neighborhood.

When there were no other comments, Chair Karasinski closed the public hearing at 7:43pm and asked the Board for their comments; Jay Ward stated he had some concern about trucks idling while waiting for their turn at the pumps; Adam Paquette replied that where the parking spaces are planned, it is at least 350 feet from the corner of closest home.

The Board deliberated the checklist for granting a 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.**

- Ward – yes – there is already a similar facility there
- Croteau – yes – there are other gas stations in the district
- Karasinski – yes – this is already an authorized use
- Ramsey-Sanchez – yes – same reasons – within ordinance

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

- Karasinski - yes – she believes the planning board demonstrates their ability to provide relief and works well with applicants.
- Ramsey-Sanchez -yes – the applicant has demonstrated the desire to be a good neighbor.
- Croteau – Yes – the applicant is willing to work with neighbors
- Ward – yes – not any more obnoxious than what the present operation has been in the past.

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

- Croteau – Yes – it's a parking lot now – won't be different
- Ramsey-Sanchez -yes – curb cuts won't change – once it's done, hopefully it won't be a playground
- Karasinski – yes - same reason – designed as business, not a playground.
- Ward – yes – he doesn't think there will be additional nuisance

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

- Ramsey-Sanchez – Yes – amenities such as public restrooms
- Ward – yes – demonstrated facilities, ADA accessibility, EV charging stations
- Karasinski – yes – considers this a very thoughtful application
- Croteau – yes same reasons

A motion was made by Jay Ward to grant the special exception ZBA 26-007 with the condition of compliance with applicable commercial parking laws; Jessica Ramsey-Sanchez seconded the motion– all were in favor and the motion passed.

B. ZBA Variance ZBA 26-008: A variance pursuant to Section IV, Article A.1 of the Zoning Ordinance for site improvements to accommodate storage and maintenance needs for ongoing commercial operations. The project includes a 6,384 square foot building and several expansive outdoor

storage areas. The subject property is located at 80 Warmac Road (Tax Map 254 Lot 30) within the rural/agricultural district.

Chair Karasinski reminded the applicant that they have the option to postpone to a future meeting since there are 4 members tonight, not 5. They chose to proceed.

REGIONAL IMPACT:
Jay Ward made a motion that there was no regional impact. There was a second by Jessica Ramsey-Sanchez. All were in favor. With no further discussion, the motion passed.

Chair Karasinski opened the public meeting at 8:07pm.

Adam Paquette explained to the Board that this property has been used this way at least since 1981 but it's hard to determine if this is non-conforming since there are no records showing it was approved by any Board. He added that the Conservation Commission had no comments for the Zoning Board.

Chair Karasinski asked if the records existed but were lost and Adam replied that it was possible. Chair Karasinski reminded the Board that a site visit is an option if there are any concerns. Jay Ward asked when the zoning ordinance started being used, that perhaps it was already in business at the time of the ordinance; Adam was not sure when it was adopted.

Chad Branon from Fieldstone Land Consultants (representing Grayson Smith from GDS Landmark) explained that his client is planning to add a building but will not be changing the use. The business has been there for 14 years and there have been no complaints and no issues; there is a low intensity of use. The 6 – 8 employees of the business generally do not report to the site because the employees go directly to their job site. A bookkeeper does work there. When they applied for a building permit, they learned that Town staff determined a variance was required.

Mr. Branon added that when he looked at the permitted use table for special criteria, he feels this has far less intense use than those allowed by permitted use. He feels this falls within the spirit of the ordinance; this business has operated with no issues for 14 years. The property is just over 3 acres with frontage on Warmac Road; no abutters have commented.

Chair Karasinski added that when standing in front of property, because of the incline, there is no view of this area of the property. Jay Ward asked what business had operated before; Mr. Smith explained that there was a logging company who stored their excavation equipment in the back of the property.

Jessica Ramsey-Sanchez asked about Mr. Smith's business and was told that his business provides construction from start to finish; most of the business is in Swanzey. Jay Ward added that GDS is working on the Town Hall; Kyle Croteau added that GDS repaired the covered bridges.

Mr. Branon went on to explain that GDS wants to construct a storage and maintenance building to store his equipment and building materials. They will reorganize and clean up the property; they are looking

to make improvements and upgrade to current standards such as storm water improvements; this will have a positive environmental impact. He reiterated that the use of the property is not changing, nor is the intensity.

The proposed use consists primarily of indoor storage for commercial equipment. Because this commercial storage activity began without prior authorization from the Zoning and Planning Boards, the current operations on the property could be classified as non-conforming.

Mr. Branon provided detailed answers to the checklist questions. Chair Karasinski asked the Board if they had any questions. She asked if there were livestock and Mr. Smith replied that sometimes there is livestock. Ward commented that with no increase in activity, this justifies the use of business after it's been in use for the years. Ann asked about structures being removed. Mr. Branon pointed out the existing buildings and what will be removed.

Jessica Sanchez-Ramsey asked if the variance gets approved, and because the variance stays with the property, if Mr. Smith then sold the property and the buyer wanted to conduct another business, would the buyer need another variance. Mr. Branon explained that they would require another site plan review, especially if it is another use than what is allowed and it created a different intensity.

With no further question, the Chair closed the public hearing at 9:08pm.

The Board deliberated the checklist for granting a variance.

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

- Croteau - Yes
- Ramsey-Sanchez -Yes – have been operating 14 years with no complaints.
- Ward – Yes – public interest is served by low intensity; does need a variance.
- Karasinski – yes – same reasons; public benefits by the board providing due diligence

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

- Ward – yes – ordinance is to limit the activity in the rural/ag to uses that are not damaging or have hazardous consequences to the neighborhood. Low impact. Work is conducted off site.
- Ramsey-Sanchez - yes – for storage and admin work
- Croteau – yes – same reasons
- Karasinski – yes – residence and agricultural – falls in the spirit

3. **Would granting the variance do substantial justice?**

- Karasinski - yes – predominantly because the land has been used this way for 45 years; more responsibly now due to current owner cleaning it up; more environmentally friendly
- Ward – yes – justice to the owner who has been using for 14 years
- Croteau – yes - storing, taking care of equipment
- Ramsey-Sanchez - yes – important to store equipment

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

- Ramsey-Sanchez - yes – improving the property will improve the surrounding values; can't be seen from the road or neighbors
- Croteau – yes – cleaning and reorganizing will add value
- Karasinski - yes – it can only improve the surrounding values
- Ward - yes – actual operation won't be changed

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

- Ward – yes – been operating for 45 years and at some point, that makes it a special exception
- Croteau - yes
- Karasinski – yes – applicant has stated he wants to provide environmental benefits
- Ramsey-Sanchez – yes – use isn't changing – 14 years with this owner – 45 total years of this use

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?

- Ward – yes – same reasons – has been used as a business for 45 years
- Croteau - yes
- Karasinski – yes same reasons – unique property – no complaints
- Ramsey-Sanchez – yes – would be unfair at this time to take the ordinance literally and not grant the use.

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

- Ward – yes – low intensity- reasonable agricultural, residential, business
- Croteau – yes
- Karasinski – yes – intensity will remain the same; business will reap benefits
- Ramsey-Sanchez - yes – using it for agricultural and will be the same size

A motion was made by Kyle Croteau to grant the variance request for ZBA-26-008, Jay Ward seconded – all were in favor and the motion passed.

The Board agreed by consensus to continue with the next hearing even though it's starting after 9pm.

C. ZBA 26-009: A special exception pursuant to Section IV, Article A.2.m of the Zoning Ordinance to allow construction of a detached structure measuring 6,384 square feet. The subject is located at 80 Warmac Road (Tax Map 254 Lot 30) within the rural/agricultural district.

Chair Karasinski opened the public hearing at 9:27pm.

Mr. Branon stated that he believes the size of the building is reasonable for the use as they will not be increasing intensity or traffic, and they will be making environmental improvements. He reviewed the answers to the checklist with the Board.

Chair Karasinski closed the public hearing at 9:33pm. The board had no questions.

The Board deliberated the checklist for granting a 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.**

- Ward – yes – appropriate, similar size as a barn
- Karasinski – yes – same reasons
- Croteau – yes – same reasons
- Ramsey-Sanchez – yes

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

- Karasinski -yes – having the structure to organize and protect equipment is important
- Ward – yes
- Croteau – yes – will improve neighborhood
- Ramsey-Sanchez – yes - same reasons

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

- Croteau – yes – last 14 years showed no complaints
- Ramsey-Sanchez - yes – it is far off the road
- Ward - yes – there will be no more traffic or hazard than what is there now
- Karasinski – yes – will be less nuisance than is now

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

- Ramsey-Sanchez – yes – content with information given
- Ward – yes
- Karasinski - yes
- Croteau - yes

A motion was made by Jessica Ramsey-Sanchez to grant the special exception ZBZ-009, Jay Ward seconded – all were in favor and the motion passed.

ADJOURNMENT
A motion to adjourn was made by Kyle Croteau and seconded by Jay Ward and all were in favor. The motion passed. Adjournment occurred at 9:40pm.

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on October 19, 2026