Town of Swanzey, New Hampshire
Swanzey Zoning Board of Adjustment (ZBA)
Meeting Minutes – **April 20, 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:
Chair Adam Mulhearn called to order the meeting at Whitcomb Hall at 7:00pm. Other members present were Vice Chair Ann Karasinski, Jay Ward, Wayne Lechlider and Joe Parisi and Alternates Peter Delaney, and Jessica Ramsey-Sanchez. Also present were Town Planner, Adam Paquette and Recording Secretary, Susan Ells.

ABSENT: None

OTHERS PRESENT:
Kai Kraemer with FACT TV, Keith Bell, John and G-Ann Rowan from Bell's Septic Tank Service, Sarah Brothers, William McCloy from Normandeau Associates, Adam Shoukiman from Eversource Energy, Sarah and Kyle Croteau, Joe Hoebeke from Eversource Energy, Cindy Kordys, and John Noonan from Fieldstone Land Consultants.

MINUTES:
The meeting minutes of March 16, 2026, were considered. A motion was made by Jay Ward to approve the minutes as presented. There was a second made by Ann Karasinski. The minutes were amended to state that Joe Parisi had abstained. All were in favor except Wayne Lechlider who abstained; the motion passed to approve the minutes as amended.

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

PUBLIC HEARING:
A. **ZBA 26-003: Special Exception** (CONTINUED FROM 3/16) – Eversource Energy, through its consultant Normandeau Associates, has submitted a Special Exception application pursuant to Section IX of the Zoning Ordinance to allow development within the Flood Plain District. The proposed work is part of the Eversource A152 Transmission Line Project.

Adam Mulhearn and Pete Delaney recused themselves; Adam Mulhearn turned to meeting over Vice Chair Ann Karasinski who seated Jessica Ramsey-Sanchez for Adam Mulhearn.

Adam Paquette read the application which is for replacing 4 existing utility structures within the floodplain in Swanzey. He stated that the project complies with the newly proposed Wetland Ordinance, as replacement of utility structures is a permitted use. The Conservation Commission requested

clarification on the timing of the construction because of the protection of the vernal pools and a potential turtle wintering area.

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

William McCloy from Normandeau Associates and Adam Shoukiman from Eversource Energy addressed the question from the Conservation Commission by responding that they have been coordinating with the NH Fish and Games Department as part of the State Wetland permitting process who indicated they would prefer the work be done between October 16 and April 14 to allow for the potential turtle overwintering habitat pond near the work area; in accordance, Eversource will do the work during the fall and winter.

This work being done is within the flood plain and they welcomed questions regarding this project. Joe Parisi asked about the references to work needed to get across 2 wash outs on the rail trail and asked whether they have been coordinating with the rail trail committee; Mr. McCloy replied that they are waiting for the recommendations from the Rail Bureau on how they want them to proceed in those areas; Wayne Lechlider recalled them coming before the Board in 2022 and said this was a similar which the Board approved. Mr. McCloy confirmed that in 2022 they replaced one pole on the same property with the same access points. Jessica Ramsey-Sanchez asked about the use of the rail trail; Mr. McCloy explained that they use the trail to get the equipment in and out; they use it in its current condition in most cases unless any repair is needed to get their equipment in. Ann asked whether the cut oof the existing wooden utility poles that have been there since 1968 and was told that they will remove the poles entirely and then fill the hole. Jay asked if they are working with the Swanzey Rail Trail Committee and was told they are working with the State Rail Bureau. Jessica about the life expectancy of the new poles and was told the weather-sealed poles are expected to last 80+ years.

Ann Karasinski asked if there were any questions from the public.

Sarah Brothers asked whether there would be access through anyone's property and she was told that if that was necessary, those property owners would have already been notified. She also asked who received notices; Adam Paquette explained that they are legally required to send notices to all the abutters of the rail trail even though this special exception is only for development in the flood plain.

Cynthia Kordys is from the Swanzey Rail Trail committee, and she invited the applicants to attend the next meeting on May 7th at 6pm at Whitcomb Hall so that the committee can ask questions since they have done a lot of work to restore the trails. She then went on to say that in 2022, Eversource had done work on lines on her property and her wetlands got damaged when equipment got stuck and that the property was not repaired. Adam Shoukiman explained that they will be using timber mats in the wetlands for the equipment to go over the wetlands and that when the project is done, the mats will be pulled out, and the area will be seeded and mulched. Will McCloy assured her that he will have Eversource follow up with her.

Jessica asked if subcontractors will be used and it was explained that the project will get awarded to a line contractor; some are self-performed and some use sub-contractors. Normandeau Associates will provide oversight and will conduct inspections of the work being done and will report to the State.

Keith Bell said that Eversource worked on his property for 2 years and they cleaned it up perfectly and it was inspected periodically.

Adam Mulhearn asked about the survey that had been done prior to the transmission lines going across the road; if so, he was hoping the survey was available to share. Adam Shoukiman said there are several surveys done for various reasons and presumed it was proprietary but offered to investigate it.

Ann Karasinski closed the public hearing at 7:30pm.

Jessica had some questions for the applicants regarding the work pad, so Ann Karasinski reopened the hearing to ask these specific questions. Will McCloy explained that the work pad is a 30x50 gravel lot on which their equipment is placed during the project. Once the work is done, they will defer to the wishes of the landowner and the caretaker and will remove the pad if the caretaker wishes or will leave it there in case future maintenance is needed. He also explained that the timber mats will not be placed where the turtles are overwintering.

Joe asked what the new poles will have for a foundation and Will McCloy described the process and material used to install the pole.

Ann Karasinski closed the public hearing at 7:37pm

There were no further questions from board. 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.**
- Ramsey-Sanchez – Yes because there are pads already being used
- Lechlider – Yes – past construction was the similar scenario
- Karasinski – Yes – use this is already authorized
- Ward – Yes – already authorized this use in this area
- Parisi – Yes, since it has been done in the past

2. **Such approval would not reduce the value of any property within the district, not otherwise injurious, obnoxious, or offensive to the neighborhood.**
- Lechlider – Yes – track record shows property has been restored
- Karasinski -Yes
- Ward – Yes – no evidence to contrary
- Parisi – Yes – agrees with others
- Ramsey-Sanchez -Yes – agrees with the others

3. **There will be no nuisance or serious hazard to vehicles or pedestrians.**
- Ward – Yes – based on where project is located
- Parisi – Yes – no testimony that would support any potential nuisance or hazard.
- Ramsey-Sanchez -Yes – concur with others
- Lechlider – Yes – knowing slope of job he's sure there will be proper protections
- Karasinski -Yes – based on what she's seen

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

- Lechlider –Yes - based on information from applicant
- Karasinski -Yes – no issues within the document
- Ward – Yes – comprehensive approach
- Parisi – yes – plan is well thought out and well-articulated
- Ramsey-Sanchez – Yes – based on application

A motion was made by Wayne Lechlider to grant special exception ZBA 26-003, Jay Ward seconded the motion; all were in favor and the motion passed.

Ann invited volunteers to apply to be alternates members of the committee.

Adam Mulhearn and Peter Delaney returned to the Board table, and Adam resumed the role of Chair.

B. **ZBA 26-004: Variance** – Fieldstone Land Consultants, on behalf of John Rowan, have submitted a Variance application under Section IV, Article A.1 of the Zoning Ordinance. The applicant proposes the construction of a 6,000 square foot building to operate Bell's Septic Tank Service within the Rural/Agricultural District portion of the property. The site is identified as Tax Map 224, Lot 21, which is currently split between the Business and Rural/Agricultural Districts.

Adam Paquette read the application and explained that this site is currently split between the Business and Rural/Agriculture Districts. Since the boundary line divides the lot, the ordinance allows the building to extend not more than 30 feet into the more restricted portion; the back corner of the building is at 67.5 feet beyond the boundary line, so it needs a variance. Adam said he received no comments from department heads and no staff comments other than wishing it was able to be pushed forward to comply without a variance.

John Noonan spoke on behalf of John Rowan who owns Bell's Septic Tank Service and described the site plan and the features of the property which requires it to be 67.5 feet into the Rural/Ag district (37.5 feet past what is allowed). Mr. Noonan answered the Board's questions saying that the driveway would be widened; passersby would be able to see the customer entrance at the front of building from opening of the driveway but that the berm would be blocking most of the building. Chair Mulhearn asked about use and how much traffic would be expected. Mr. Noonan explained that the tanker trucks would pull into garage bays back of building; the front will be a reception office for bill paying; etc. Joe asked if the existing business is moving and that was confirmed. Chair Mulhearn asked if all the trucks would be covered and that was confirmed. He asked the height of the building and was told it would be 30 feet high. When asked how many times per day the trucks would exit the driveway, he was told that they typically leave in the morning and come back in the afternoon. Joe clarified that the only access is from Route 32.

Mr. Noonan then reviewed the answers he provided for the application checklist. Joe asked for clarification regarding the septic system location; Mr. Noonan replied that the back of the building was used for years to store fill, making it difficult to dig a septic system and that the front area is native,

untouched sandy soil which is better for digging. If they pulled the building forward, it would encroach on the existing septic system for the nearby house and on the shoreline protection area for the river.

Chair Mulhearn asked for any questions from the public. Sarah Brothers expressed concern that this is close to the school zone and wondered about student pedestrian traffic.

When there were no more questions, Chair Mulhearn closed the hearing at 8:24pm and then asked for questions from the Board. He commented that it was a rare case with dual zones; the Board was reminded that the variance is for the 37.5 feet and not for the use of the property.

The Board deliberated the checklist for granting a variance.

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

- Lechlider – Yes – based on information provided
- Karasinski – Yes – same reasons
- Ward - Yes – it is in the public interest
- Parisi – Yes – nothing contrary to public interest
- Mulhearn – Yes – same reasons

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

- Karasinski – Yes - acting in spirit of the ordinance
- Ward – Yes - division between business and rural agriculture was meant for this purpose
- Parisi – Yes – agree with Jay
- Lechlider – yes – agree with the others
- Mulhearn – yes – spirit is to protect certain zones – minimizes impact

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

- Ward – Yes – constraints on the property are such that granting will do justice
- Parisi – Yes – not granting would do injustice given special aspects of the lot
- Lechlider – Yes – agree with others
- Karasinski – Yes – best use of property and environment
- Mulhearn – Yes – agree with others

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

- Parisi -Yes – lack of input or testimony of abutters
- Lechlider – Yes – people driving on Route 32 won't see any significant change
- Karasinski -Yes – agrees with others
- Ward -Yes – value of this property will increase and will increase other properties
- Mulhearn – Yes – this use won't impact – no evidence to the contrary

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

- Lechlider – Yes – watershed in the back, sloping of property, river
- Karasinski -Yes – prior owners had modified soil contact and made it difficult to fully utilize it

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- Ward - Yes- because it is in 2 zones and best soil is in the front which prevents the building from moving forward on the property
- Parisi – Yes – While there is another approach, that would be an unnecessary hardship
- Mulhearn – Yes – for all reasons there are special conditions

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 – this is what this is for
- Ward – Yes – specific application of provisions of the property
- Parisi – Yes – agrees with others
- Lechlider – Yes
- Mulhearn – Yes

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

- Ward – Yes – relocation of a business which allows it to expand
- Parisi – Yes – very reasonable use
- Lechlider – Yes
- Karasinski - Yes
- Mulhearn – Yes – focused, very little encroachment.

A motion was made by Jay Ward to grant the variance request ZBA 26-004, Ann Karasinski seconded – all were in favor and the motion passed.

OTHER DISCUSSIONS

A. Rules of Procedure Discussion

Adam Paquette asked the Board if they had any questions or thoughts on the drafted Rules of Procedure. Joe sent him some comments via email which Adam will consider in the draft. There was a discussion about procedures regarding alternates. Adam requested the Board to send any other questions or comments to him so he can include them.

B. Unauthorized Enforcement Action Letter

Adam Paquette then asked if the Board had any questions regarding the letter; Joe asked if the issue was about being on a private property or collecting data outside of an official meeting; Adam confirmed that going onto private property without permission is an issue; viewing from a public vantage point and then reporting a violation to the code enforcement officer is the correct procedure. He said this letter is going out to all elected boards; Jay said it is a reminder that the Board does not have enforcement authority. If there are questions, talk with Adam separately.

He went on to say that he had a meeting regarding the SWRPC zoning audit and is planning a joint meeting between the Zoning Board, Planning Board, Conservation Commission and EDAC; the expected date is June 4th around 5 or 6pm, but he will keep them posed.

He reported there are potential alternatives to the Board; Kyle Croteau and Bill Hutwelker (as needed).

ADJOURNMENT
A motion to adjourn was made by Jay Ward and seconded by Joe Parisi and all were in favor. The motion passed. Adjournment occurred at 9:06 p.m.

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on

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