

Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – October 22, 2020

Note: Draft Minutes are subject to review, correction and approval by the Board. Review and approval of Minutes generally takes place at the next regularly scheduled meeting of the Board.

CALL TO ORDER:

The meeting of the Swanzey Planning Board was called to order at 6:00 p.m. by Chair Glenn Page. The meeting was held at Whitcomb Hall and via Zoom software for electronic conferencing due to the COVID-19 health emergency in the State of New Hampshire. Emergency meeting pursuant to Executive Order 2020-04, Section 8 and Emergency Order #12, Section 3. Members present: Chair Glenn Page, and Richard Sainsbury at Whitcomb Hall and Jane Johnson, Scott Self, Michael York via Zoom. Also present was Director of Planning and Economic Development Matthew Bachler at Whitcomb Hall and Selectmen’s Representative Kenneth P. Colby, Jr. and Recording Secretary Beverly Bernard via Zoom. Page called the roll and read the agenda for the evening.

Absent: Ruth Snyder and Alternate Steve Malone

Others Present:

Chad Branon, P.E. Fieldstone Land Use Consultants, Dave Bergeron with Monadnock Land Planning, Ginnette Groome, Joely Fanning, Tom Chabott, Barbara Skuly, Ben Olson

PUBLIC ACCESS: The public access to the meeting online via www.zoom.us, using the Zoom App on a cell phone or tablet or laptop, or using a landline by calling (929) 205-6099 and entering Meeting ID number 863 8706 0106. If there is difficulty accessing the meeting, please call (603) 352-7411 ext. 108.

Regional Impact: Board members considered whether any items on the agenda could be construed as having potential for regional impact. Johnson asked about the possible impact of an 80-unit apartment complex on the City of Keene. Page said the New Hampshire Department of Transportation (NH DOT) will have to permit the driveway. He said he didn’t see any more impact on the City of Keene. Bachler said the applicant has reached out to NH DOT and they are not requiring a traffic study for the development. He said the additional traffic would not warrant a traffic study. Johnson asked about proximity to shared aquifers. Page said that would be an appropriate subject for the public hearing.

Motion was made by Self that there is no item on the agenda which can be construed to have potential for regional impact. There was a second by York with no further discussion. All were in favor by roll call.

Motion passed.

APPLICATIONS and PUBLIC HEARINGS

Site Plan Review Application #20-008

Asher Construction, LLC requests a Site Plan Review for an 80-unit multi-family residential development at 173-175 Monadnock Highway on property shown at Tax Map 19, Lot 67 and located in the Business District. The applicant received Special Exception approval from the Zoning Board of Adjustment for the project on June 15, 2020. NH DOT is not requiring a traffic study or any modifications to State Route 12 to accommodate the project at this time. A Driveway permit from the State would be required before construction. For storm water management, a system of catch basins, roof drains, and pipes are

proposed to collect rainwater and direct it to an underground storage and infiltration system that would be constructed underneath the parking area on the rear side of the building. The building is proposed to connect to public water and sewer and all setbacks are met by the proposal.

Discussion: Continued from October 8, 2020. Bachler said the height variance was approved by the ZBA on October 19, 2020. Frank Underwood provided written comments. Fieldstone has provided responses to questions by Underwood, which were provided to the Planning Board. On October 8, 2020 Fieldstone provided updated plans based on staff review comments. No concerns by Fire Department, and North Swanzey Water & Fire Precinct said they cannot guarantee sufficient water pressure for fire suppression system and that would be required for the development.

Chad Branon from Fieldstone Land Use Consultants was present. Branon asked for a vote on whether the application is accepted as complete. Self said the Board usually has a presentation to determine if the application is complete. Branon agreed to do his presentation.

Branon used Shared Screen to show the plans for the development. He said there is 270 feet of frontage on State Route 12. The acreage is 2.51 acres. He spoke about the existing structures on the property. He spoke about the existing curb cuts. He noted the topography of the site; there is a slope from the highway to the rear and at the rear there are wetlands. The property to the rear of this lot is also owned by Asher Properties. He noted to the north will be a gas station which has been approved. On the east are residential properties. And to the west is Pasture Road. Drainage for the property goes from east to west. There is an existing culvert under the highway. And there is a catch basin, and the water is directed toward the wetlands out back. He said they are proposing to raise and remove the existing structures and the drainage system.

He showed a proposed site plan. One central curb cut is preferred rather than existing three. All the traffic on site is two directional. All the setback requirements are met. He said along the front is parking, and Americas with Disability Act (ADA) accessibility and there is access to the rear and all sides of the building. Branon spoke about the Variance in regard to the height of the building. He noted extended basement level to the rear of the building. Branon said they spent time with the Fire Department to reach agreement on the layout. He said a dumpster will be at SW corner of property. Snow storage is planned along the perimeter of the project. This plan meets parking requirements (160 spaces).

He showed the grading and drainage plan on the screen. Off highway, grade will drop down at about 5%. At the building front the grades are relatively flat. Branon said there is a transition to lower level with a steeper grade. There are no parking spaces in area dropping down. There is parking where the grade levels off. He noted multiple entrances. An elevator is proposed for the project.

The drainage was discussed. Branon said there is a concern surrounding the drainage and he wanted to address those. He said the plan is to capture all the run-off from this property and run it through a storm water management system. It will meet Alteration of Terrain (AoT) requirements provided by the State. He noted there are catch basins in a variety of locations in the parking lot and along the front of the building. At the north side of building, the catch basins also present and to the rear, there is a flat parking area, and this has catch basins as well. The water is channeled to the storm-water chamber system. And off-site run-off from State Route 12 is also being managed into the storm-water chamber

system. He said it is closed drainage discharging into the chamber system. Branon said there will be no increase in storm water run-off, and it is designed to meet the 10, 20, and 50-year storm design. He noted they will be re-contouring the site and at the rear there will be filling. He said they used test pits to meet seasonal high water table requirements. Branon said the State infiltration rate for the underlying soil conditions is about 2 inches per hour. This system has been sized and designed at 1 inch per hour. He spoke about over-flow design, elevated invert which discharges to riprap and ultimately drains off-site. There is reduction in volume in design storms (10,20 and 50-year storm designs). He noted the existing conditions are pretty poor with straight pipes and uncontrolled outlet, and this project will make significant improvements.

There are connections to municipal services. The building is 180 back from the highway. It is a large building; the distance to the road will reduce impact on aesthetics from the road. It also allows grading to follow the existing topography. Sewer must be pumped up to the municipal system. There is also a water connection and it will be determined if additional pressure may be required. Proposing underground utilities to the building, including a generator for emergency services.

Branon showed the lighting design – some will be pole lights and some on the building. Downcast lighting is planned. The goal is to provide adequate and safe lighting for the future residents.

Branon showed a symmetrical landscaping scheme. There will be landscaping along the front of the building.

Branon showed an elevation view of the building showing the architectural elements. He noted bump outs for balconies for each unit. 3 foot- 8-inch parapet is along the roof, which provides safety access to the roof for maintenance or emergency response. He showed the walk-out elevation as well. Four stories in front and five stories at the rear.

There was a brief discussion about there being plenty of sewer capacity for the project between Sainsbury and Page. Page said there is more than enough capacity.

Motion was made by Self that the application of Asher Construction, LLC for a Site Plan Review for an 80-unit multi-family residential development at 173-174 Monadnock Highway on property shown at Tax Map 19, Lot 67 and located in the Business District is complete and ready for public hearing. There was a second to the motion by York and no further discussion. All were in favor. ***Motion passed.***

Public Hearing opened at 6:50 p.m.

Discussion: Branon displayed the color rendering of the building showing the architectural elements. Grey with white accents. He said he is happy to answer questions. Self asked about the number of entrances. There is one in front, and an entrance/exit at back side of building at rear. Colby asked about an entrance on the north side as well. Branon said that is an entrance into a unit there but not a public entrance. Branon said there is a public entrance to the south side as well.

Bachler reminded the public present to use the raise hand icon if you would like to comment or ask question or type into the Q&A box.

Bachler said he did not see any hands raised to comment. He asked Branon about snow storage. Branon said snow storage would occur along the perimeter of the property. He said his client also owns the property to the west and although that could be used for snow storage, he did not think that would be needed. He said all parking spaces might not be utilized and there is ample open space on the site for snow storage along landscaped areas. Branon spoke about a possible 20-foot easement on the lot to the rear if needed. Branon said the Town does not have a calculation for the amount of snow storage required. If the amount to deal with is more than what can be stored on site the snow could be removed from the site. Page said if you run out of space for snow storage, the requirement would be to truck it away from the site.

Joely Fanning asked what is the plan for the other property behind this property also owned by Asher Properties. Branon said there is no plan for that property at this point. He said most of the property is wetlands and a good buffer to the properties to the west. He said that behind the gas station there is some useable land, but he does not anticipate any use at this point. Page noted the lot is landlocked and has substantial wetlands on it so chance of developing it is practically nil.

Self talked about conditions for approval and the Board considered the conditions recommended by staff.

Self said the system is a very expensive storm water system and maybe there would not need to be a report year to year. Bachler said reporting to the Town is not required, but it is a reasonable condition to require the system be inspected and maintained in accordance with best management practices. Bachler said the system needs to be operational given the amount of runoff it will be managing. He referred to snow storage, and if excessive snow, they will remove it. There are 11 conditions listed.

Branon said once he gets an approval there will be geotechnical work done to analyze the soil and the design will be stamped by engineers and professionals. The retaining wall design will be completed by a Professional Engineer. He said hydrogeological reports won't be necessary. So, condition #9 for design for retaining wall will be accomplished with stamp by a professional engineer. He noted Storm Tech Isolator Row system will be stamped by a licensed engineer.

Ginnette Groome asked is there an exit at the side of the building where there are five stories. Branon said there is an entrance on all sides of the building except for the north side. The entrance on the west side is toward the north side of the building. West, South, and East (Main) entrances were noted.

Bachler said he did not have any other comments from the public.

Public Hearing closed at 7:11 p.m.

Motion was made by Self to approve the Site Plan for Asher Construction, LLC for an 80-unit multi-family residential development at 173-174 Monadnock Highway on property shown at Tax Map 19, Lot 67 and located in the Business District with the following conditions:

1. The applicant shall obtain a Building Permit and receive final approval from the Code Enforcement Officer and Fire Department.
2. A copy of the approved NH DOT Driveway Permit shall be provided to the Town prior to the issuance of a Building Permit.
3. The proposed sewer connection shall be subject to approval by the Sewer Commission.
4. The proposed water connection shall be subject to approval by the North Swanzey Water and Fire Precinct
5. No construction activity shall be permitted on the adjacent right-of-way on the southern end of the property, or on the abutting property to the north (Map 19, Lot 68).
6. Existing granite bounds for the right-of-way on the southern end of the property shall not be disturbed as result of the construction activities. The applicant shall be responsible for restoring the granite bounds and associated costs if they are disturbed.
7. The applicant shall be responsible for implementing the inspection and maintenance activities identified in the Storm Water Management System Inspection and Maintenance Manual. The applicant shall provide the Town with records of the completed activities, upon request.
8. The applicant shall include a note on the approved site plan that any excess amount of snow shall be removed from the site.
9. Prior to the issuance of a Building Permit, the applicant shall provide an engineered stamped plan for the proposed retaining walls.
10. An engineered security barrier or railing shall be provided along the full length of the retaining walls.
11. The final design for the proposed StormTech Isolator Row system shall be completed and stamped by a licensed engineer.

There was a second to the motion by Johnson. Self asked about condition #7 and Bachler said they will not be required to provide regular reports to the Town, but if issues are noticed, then we could ask for records on maintenance for the system, as part of best management practices. Self said that is understandable. Sainsbury asked for a copy of the list of conditions and he reviewed them while the others waited for him to complete his review. All were in favor by roll call. ***Motion passed.***

Site Plan Review Application #20-009

Tom Chabott requests a Site Plan Review for a 5,000 square foot multi-tenant building and a 2,400 square foot cold equipment storage building at 67 California Street on property shown at Tax Map 73, Lot 24 and located in the Commercial/Industrial District. The 5,000 square foot building would be 40 feet by 125 feet, have up to five separate bays, and be comprised of red vinyl siding, grey metal roof and overhead doors for each bay. The 2,400 square foot building would have white metal siding and a metal roof.

Discussion: Tom Chabott was on the call. He said his residence is 295 Cedar Road in Harrisville. He is owner of 67 California Street. He said the multi-tenant building will parallel California Street, water will come from present wells. He spoke about doing research with builders about the look of the building. He said he won't put in walls until there is tenant interest. He said the site is fairly level. He said there is a culvert under the driveway. He said the soil percolates well. He said the soil is sandy. Each bay will

have own power service and propane furnace, assuming all five bays are rented. He said he hasn't gotten the septic design yet from Mr. Forest. Chabott said the existing septic works fast. Page asked about Fire Department letter and if Chabott had seen it. Chabott said he did see the letter and noted the Fire Department wants fire walls between each tenant and smoke alarms. Chabott asked about standing trees; he said his plan is that there is sufficient short foliage, but he would like to remove the 80 to 90-foot pine trees, which are a concern. They can cause power outages by fallen branches. He said he intends to take down some of the trees and get an arborist to give him advice. He said there is plenty of low foliage there. Page said taking down large pines makes sense.

The Board reviewed staff recommendations for approval. Staff recommends keeping the existing trees along California Street for screening purposes. Page said his opinion is to remove the large White Pine trees. Chabott said he had a tree break up 35 feet from the ground and it had root rot. He said the growth underneath would flourish if trees were removed.

Motion was made by Self that the application of Tom Chabott for a Site Plan Review for a 5,000 square foot multi-tenant building and a 2,400 square foot cold equipment storage building at 67 California Street on property shown at Tax Map 73, Lot 24 and located in the Commercial/Industrial District is complete and ready for public hearing. There was a second to the motion by York and no further discussion. All were in favor. **Motion passed.**

Public Hearing opened at 7:30 p.m.

Discussion: Page asked for public comment. Bachler asked those on the Zoom call to use the raise hand icon if they have comments or questions. Bachler said Mr. Chabott explained the drainage system for the property. He noted the culvert that goes under the driveway, and said it is staff recommendation to make sure the outlet area which has accumulated vegetation that clogs the outflow be cleared away. Chabott said he could take care of that. Bachler said once businesses are identified, they would come to the Planning Board for multi-tenant applications, and alarms and firewalls would be addressed at that time. Self-asked about pavement for parking spaces. Chabott said it all would be paved. Bachler spoke about storage container now on the property. He said the recommendation is that the storage container be moved back to beyond the 30-foot setback requirement and Chabott said he can move it back further onto the property.

Public Hearing closed at 7:35 p.m.

Motion was made by York to approve the Site Plan of Tom Chabott for a 5,000 square foot multi-tenant building and a 2,400 square foot cold equipment storage building at 67 California Street on property shown at Tax Map 73, Lot 24 and located in the Commercial/Industrial District with the following conditions:

1. The applicant shall obtain a Building Permit for the multi-tenant building and the equipment storage building and final approval from the Code Enforcement Officer and Fire Department.
2. The new septic system for the multi-tenant building shall receive approval from the New Hampshire Department of Environmental Services.
3. Each of the proposed 16 parking spaces will be required to be striped and must be a minimum of 9 feet wide by 18 feet in length.

4. The property owner shall remove the accumulated leaves and vegetative materials from the culvert outlet to ensure proper drainage flow.
5. The property owner shall relocate the storage container located on the east side of the driveway adjacent to California Street so that it meets the 30-foot front setback requirement.
6. A Multi-Tenant Application shall be approved by the Planning Board prior to any business occupying the multi-tenant building.
7. The existing stand of trees along California Street that currently provide screening from the road shall be maintained, except the White Pine trees may be removed.

There was a second to the motion by Self and no further discussion. All were in favor. ***Motion passed.***

Multi-Tenant Application – Self recused himself for this application because he is an abutter

Monadnock Land Planning, on behalf of 33 Prospect Street, LLC, requests use of the property at 33 Prospect Street for equipment and vehicle storage, maintenance, and inspections on property shown at Tax Map 57, Lot 97 and located in the Business District. The request is to allow Pappas Contracting to expand their business and it is anticipated that 1-2 appointments per day for repair work would occur. The facility would be required to be approved by the State as a licensed inspection site for commercial vehicles. No modifications to the building or site are proposed at this time. The building is served by an onsite well and is connected to the public sewer line.

Public Hearing opened at 7:37 p.m.

Discussion: Dave Bergeron was present. He said the application is for an existing business, Pappas Contracting. They use it for equipment storage and maintenance. They would like to do maintenance for commercial vehicles and be able to do State approved inspections. This would be one or two vehicles per day. Using existing building. Page said the operation is essentially staying the same. Bergeron said the change is that they will be doing work on vehicles other than their own.

Bachler asked for public comments. He showed a plan for the site using Screen Share. Self, speaking as an abutting resident and not a member of the Board, said he does not have any objection to this application. He said he would ask that they continue to use the Railroad Street entrance for the larger trucks.

Barbara Skuly of 19 Spring Street was present via Zoom. She said she has concerns about the existing use of the property and she doubts the ability of the property to accommodate any more vehicles. She said there are large storage units parked off Railroad Street. Bergeron spoke about the storage trailers. He said another application is being prepared for the storage trailers but has not been submitted yet. He said many of the vehicles come and go and this would be small change as compared to what is there now. Most are stored in the rear of the property and that will continue. Skuly said it would be great for the Planning Board to do a site visit to this property. She said she doesn't understand what the requirements for parking on this property are, if there are any at all. Page said he is aware of the property. He drives by there multiple times a week and he said it is not very different from the past. He said the property has been used for industrial use for years. Skuly said there are more vehicles on the

property now. She asked again about restrictions for parking on the property. Bergeron said this is a different type of business than what Keene Tree had on the site. Bergeron said it is identified on the site plan where most of the equipment should park and he noted there is movement of equipment all day long.

Bachler said he and Bergeron have met about submitting a site plan review application for long term storage. Bachler said in terms of what will be approved for vehicles, the applicant has submitted a site plan with 14 spaces for equipment and additional equipment parking at another location on the site. Bergeron said there will be a new site plan review for trailers and any additional parking at the same time.

Page recommended the Board pass over this application tonight and deal with both parking issues and this application at the same time. He recommended tabling this application until parking is established in a site plan review application. There was general agreement by member of the Board.

Public Hearing closed at 7:55 p.m.

Motion was made by York to table the application of Monadnock Land Planning, on behalf of 33 Prospect Street, LLC, for use of the property at 33 Prospect Street for equipment and vehicle storage, maintenance, and inspections on property shown at Tax Map 57, Lot 97 and located in the Business District until the applicant can come back with site plan for parking and number of vehicles. Second by Sainsbury. All were in favor except Self who abstained. **Motion passed.**

DISCUSSION/OTHER BUSINESS:

Moore Nanotechnology Site Plan Approval Extension Request

The Planning Board approved an approximate 21,800 square foot addition to their existing manufacturing facility at 230 Old Homestead Highway in December of 2018. An extension was approved through December 31, 2020. The request is to extend the Site Plan approval to December 31st of 2021. The company noted that it has needed to focus on its response to COVID-19 pandemic this year and therefore has not been able to move forward with the addition.

Page reseated Self for the following request.

Motion was made by York to extend the Moore Nanotechnology Site Plan Approval to December 31, 2021. There was a second to the motion by Johnson and no further discussion. All were in favor. **Motion passed.**

Zoning Ordinance Amendment Discussion – Off-street Parking Requirements

Bachler said he made some updates to the current ordinance for the Board to consider. Two spaces per dwelling unit is Swanzey ordinance now, but that is outside the norm for multi-family residential uses based on other communities. He noted it was common amongst other communities to require 1 and 1/2 spaces per 1- bedroom unit. Studios would also require 1 ½ spaces. No changes for two-bedroom units would still require two spaces. Bachler reviewed the other schedule for parking requirements for retail businesses and personal services, auto repair and services could be 4 spaces per service bay, nursing homes, offices and he reduced these a bit, industrial, warehouse use, and places of public assemblies

were discussed. He reviewed what other communities have as requirements as he developed the update. He said these tweaks would put Swanzev more in line with other communities. He spoke about setback requirements for parking spaces and property lines. Bachler said another suggestion is to give the Planning Board the ability to allow the reduction in the number of parking spaces required by 20% but still require an applicant show proof of the additional parking on the site plan if it is ever needed. It gives the Planning Board some flexibility versus the applicant needing to seek a variance depending on the request. Self said it looks reasonable.

Next Steps: Bachler said he will review with Town Counsel the recommended updates. Sainsbury asked about parking spaces for nursing homes and whether there are sufficient numbers for visitors. Bachler said he did not make changes to the current regulations for nursing homes.

2021 Zoning Amendment Calendar Discussion

Bachler provided a timeline for amendments to be considered by Town Meeting March 2021:

- Monday, November 9, 2020: First day to accept petitioned zoning amendments
- Wednesday, December 9, 2019: Last day to accept petitioned zoning amendments
- Thursday, December 10, 2020: Recommended first Public Hearing for amendments proposed by the Planning Board
- Thursday, January 14, 2021: Recommended second Public Hearing for amendments proposed by the Planning Board and for any petitioned amendments (if necessary)
- Monday, January 25, 2021: Last day for final public hearing on proposed zoning amendments
- Tuesday, February 2, 2021: Last day for official copy of final proposed zoning amendments to be placed on file at Town Clerk's office

**SECTION III
GENERAL PROVISIONS APPLICABLE TO ALL DISTRICTS**

Q. OFF-STREET PARKING

1. Off-street parking shall be provided as shown in the following table:

Table #1: Schedule of Minimum Parking Requirements	
One-family dwelling & two-family dwelling	2 spaces per unit
Multi-family dwelling	1.5 spaces for 1 st bedroom plus 0.5 spaces for each additional bedroom
Hotel, motel, inn, etc.	1 space per unit
Restaurant, theater, church, or other places of indoor assembly	1 space for every 3 seats
Retail sales	1 space per 250 square feet gross floor area
Retail sales – furniture, appliance, motor vehicle sales	1 space per 500 square feet gross floor area
Personal services	1 space per 250 square feet gross floor area
Automobile repair and services	4 spaces per service bay
Nursing homes, hospitals, etc.	1 space per staff person on the largest shift plus 1 space per every 3 beds
Offices	1 space per 250 square feet gross floor area
Industrial use	1 space per employee on largest shift
Warehouse	1 space per 1,000 square feet gross floor area
Place of public assembly not measurable in terms of seats	1 space per 500 square feet gross floor area

2. Except for parking spaces for one-family dwellings and two-family dwellings, off-street parking spaces shall be located a minimum of thirty (30) feet from the front property line and ten (10) feet from the side and rear property lines, unless otherwise specified in a specific Zoning District.
3. The Planning Board, during Site Plan Review of new uses or expansion of an existing use, may allow a reduction of up to twenty (20) percent in the number of required built parking spaces, provided an area is reserved on the approved site plan to accommodate the minimum number of required off-street parking spaces should they become necessary in the future. The construction of any unbuilt parking spaces shall be reviewed and approved by the Planning Board as a modification of the approved site plan.

Second Meeting in November

Bachler noted the second meeting in November falls on Thanksgiving. He suggested the Board not meet on that date and there was general agreement.

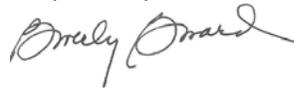
Motion was made by Sainsbury to not meet on Thanksgiving, second by York, and all were in favor by roll call. **Motion passed.**

Next Meeting: November 12, 2020

ADJOURNMENT

Motion to adjourn was made by Sainsbury. There was a second to the motion by Johnson with no further discussion. All were in favor by roll call. **Motion passed.** Adjournment occurred at 8:10 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary