Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – May 28, 2020

Bachler reviewed guidelines for public participation during public hearing portions of the Zoom meeting.

CALL TO ORDER:
The meeting of the Swanzey Planning Board was called to order at 6:04 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 Scott Self, Ruth Snyder, Michael York, Jane Johnson and Selectmen's Representative W. William Hutwelker via Zoom.

Absent: Alternate Steve Malone

Others Present:
Jonah Gosnell, Chad Branon and Jeremiah Ketola

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 892 7148 7801. 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. **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.***

MINUTES:

- The meeting Minutes of May 14, 2020 were considered. **Motion** was made by Sainsbury to approve the meeting Minutes of May 14, 2020 as updated by Bachler. There was a second to the motion by Self and no further discussion. All were in favor by roll call. ***Motion passed.***

APPLICATIONS:
Site Plan Review Application – Apex Racing – Jonah Gosnell
Apex Racing, LLC submitted a Site Plan Review application for the use of the existing building on the property located at 972 West Swanzey Road for an automotive racing shop and for the construction of parking lot improvements. The business would include retail sales and building and servicing race cars. The property is shown at Tax Map 70, Lot 33 and is located in the Business District.

Gosnell spoke about the plan using Westport Village Road and he referred to west side of lot as being re-paved and expansion occurring on either side of the building. There will be a drain to Westport Village Road. Sainsbury asked about the proximity to the wetland. Gosnell said water is flowing underneath Westport Village Road. There are multiple pot holes and frost heaves on the road. The road was backing up water. He said he has fixed that problem and now the water is running under the road

and coming into the corner of his property. There will not be equipment in the wetland. There are rocks between the wetland and non-wetland area within the lot. Gosnell said the draining water is constant, perhaps coming from the east which is higher ground. He said the work they have done will help Westport Village Road. He said they are putting in a drain so that water doesn't run into the parking lot. He said the water will run into the grass area adjacent to the wetland and the rock wall will help to disperse the water and the grass will also absorb some of the water. He spoke about a 4" pipe to be placed right at the face of Westport Village Road. There will be drain and stone. He said 4" will be plenty when asked by Self as to the size being adequate. Self also asked about the road agent having seen the water draining issue.

Bachler used Share Screen and said the plan on the screen was received this afternoon so that the Board did not have copies. If approved, the applicant would be required to complete construction according to this plan. The plan showed the grades in the parking lot. Gosnell said the MTBE issue has been addressed. The New Hampshire Department of Environmental Services (NH DES) has indicated that water does not show high levels of MTBE and meets minimum standards, but NH DES will be monitoring on an on-going basis.

Self asked if the curb cut has been approved for Westport Village Road and Gosnell said yes. Gosnell said most of the trailers will be coming in from Westport Village Road. It is safer than from State Route 10.

Bachler showed the letter from Department of Public Works (DPW) Director Glenn Smith with requirements from DPW as conditions for approval for the proposed driveway. He noted that a Driveway Permit has not been issued yet. The letter includes a recommendation for arborvitae plantings along Westport Village Road . from the southern end of the curb cut up to where the trees exist. It screens the rear side of the property from West port Village Road.

Johnson asked what will be in the building and what will be outside. Gosnell said the building will house primarily race cars for performance-oriented work. There will be parts and equipment. Outside will have customer cars and trailers with race cars. The trailers will remain there while the cars are being worked on. Johnson asked about use of oil and fuel. At this point, Page noted that the Board was getting into the public hearing portion of the meeting before it had accepted the application.

Page asked the Board if it was ready to make a decision about the completeness of the application.

> **Motion** was made by Self to accept the application as complete and ready for public hearing. There was a second to the motion by York and no further discussion. All were in favor by roll call except Sainsbury who vote no. ***Motion passed.***

Public Hearing opened at: 6:30 pm

Discussion: Johnson asked about the oil and fuel and whether painting would be going on. Gosnell said no painting will be done. Oil will be kept in drums. Oil tanks for heating are inside the building. Johnson asked about distance of septic to wetland. Gosnell said they are on the opposite side of the property. Gosnell said there is about 175 feet to the wetland from the existing septic. Johnson said she was surprised that this project came so far before coming to the Planning Board. She said the project is

practically all done. Bachler said that a site plan review is required for change of use. The expansion of parking lot requires a site plan review as well.

Self asked about the noise from running engines in the building. Gosnell said they have a fully enclosed building and the bay door will be kept shut and windows do not open and it will be a minimal amount of noise. Gosnell said it will be mostly chassis related work. Self asked if the engine exhausts to the outside and Gosnell said they use a long hose to exhaust out of the building and the cars do have mufflers, which are required for the race tracks. There is 10-12 feet of hose before the hose exits the building.

Page asked for further comments or questions from the Board or other attendees. Bachler said at this time there is no one with hand raised to comment. Bachler said the applications notes that the hours of operation would be ten am to six pm. Gosnell agreed. Self asked the number of days per week. Gosnell said six days a week, but may not be open Mondays. Saturday is race day so there won't be much going on except auto-part sales.

Public Hearing closed at: 6:37 pm

Motion was made by Self to approve the site plan of Apex Racing, LLC for the use of the existing building on the property located at 972 West Swanzey Road for an automotive racing shop and for the construction of parking lot improvements subject to the following condition that no testing on the dyno between 3 pm and 6 pm and no testing on Saturday.

Discussion: Bachler noted Staff Recommendations. If the Board were to vote to approve the Site Plan Review application, staff offers the following conditions for consideration including a letter from the DPW Director:

1. A copy of the NH DOT Driveway Permit shall be provided.
2. A Town Driveway Permit shall be required for the Westport Village Road driveway.
3. Landscaping shall be provided along Westport Village Road in consultation with the Public Works Department to adequately screen the outdoor storage area.
4. Freestanding and building signage shall require separate Town Sign Permits.
5. Lighting shall be installed and arranged so as not to cause glare on abutting properties or on adjacent public roadway.
6. Parking stalls shall be no less than 162 square feet and not less than 9 feet in width.
7. The business shall comply with all required NH Department of Environmental Services regulations regarding the storage and disposal of hazardous materials.

There was second by York. Hutwelker asked what is zoning in the area. Bachler said this is business district. Hutwelker said the applicant should be asked if he is comfortable with the condition for constricting his hours of operation since this is a business district. Self said he agrees with Hutwelker. Gosnell said the hours will work for them for this type of business as opposed to auto repair shop. But he would like to be able to use a dyno all day but not after to 5

pm. Gosnell said Saturdays will be busy, rather be able to run the dyno on Saturdays to 3 pm and up to 5 pm rest of week. Self withdrew his motion to remove the restriction to the dyno.

Motion was made by Self to approve the site plan of Apex Racing, LLC for the use of the existing building on the property located at 972 West Swanzey Road for an automotive racing shop and retail sales and for the construction of parking lot improvements subject to the following conditions: A copy of the NH Department of Transportation (DOT) Driveway permit shall be provided, A Town Driveway Permit shall be required for the Westport Village Road driveway, landscaping shall be provided along Westport Village Road in consultation with DPW to adequately screen the outdoor storage area, parking stalls shall be no less than 162 square feet and not less than 9 feet in width, the business shall comply with all required NH DES regulations regarding the storage and disposal of hazardous materials, freestanding and building signage shall require separate Town Sign Permits, and lighting shall be installed and arranged so as not to cause glare on abutting properties or on adjacent public roadway. There was a second by York. Johnson said she thought it was thoughtful of Self that he considered the potential noise level caused by the dyno. All were in favor except Sainsbury who voted no. ***Motion passed.***

Page wished the applicant good luck with his business.

Site Plan Review Application – Alotek Contractors, LLC – Chad Branon Civil Engineer with Fieldstone Land Consultants

Alotek Contractors, LLC, submitted a Site Plan Review application and Condominium Subdivision application for a 32-unit residential condominium development on property situated off of Old Homestead Highway and shown at Map 36, Lot 1-2. The subject property is located in the Business District. A multi-family residential use in this district is permitted by Special Exception. The Zoning Board of Adjustment (ZBA) approved a Special Exception for the subject property on February 10, 2020.

Discussion: Branon said the use is permitted by Special Exception and that has been received from the ZBA in February. The property slopes away from State Route 32 and toward the west. Along the western boundary is the Dillant-Hopkins airport and the area is surrounded by residential use. The proposal, said Branon, is for 32 units with 4 buildings each having 8 units. The first buildings will be town-house style and the back two buildings will be single floor living. The units are oriented to face into each other and parking will be between the buildings. Footprint of each building is 5,200 square feet. He noted there will be a 24 wide access aisle. They have state permit from NH DOT. There will be some sightline improvements. Parking lot will have 72 parking spaces. Required parking is satisfied, which is 64 spaces. Designed project to have a turnaround at the end of access aisle and there will be dumpster there. Storm water will follow the topography and drain internally away from State Route 32 with closed and opened drains to a managed area on west side, which is designed to infiltrate and minimize run-off. Branon said the proposal meets town regulations as well as state regulations and meeting setback requirements for the project as well as design requirements.

Motion was made by Self to accept the application as complete and ready for public hearing. There was a second to the motion by York and no further discussion. All were in favor by roll call. ***Motion passed.***

Public Hearing opened at: 6:58 pm

Discussion: Bachler said there were no residents at the meeting according to the listing of participants on the Zoom call. Self asked for clarification of note 5 which referred to the lot being located in the groundwater protection overlay district, but Bachler said Swanzey does not have a groundwater protection overlay district. Branon said that should be removed because there is not an overlay district at this location.

Branon said the architectural plans submitted include some details on the elevations and the floor plans as well. He showed elevation for two-bedroom units. He said in the other buildings, first two buildings, four of the units will have a garage. He said the applicant would like to have the option for a 3rd bedroom on the second floor. The current plan shows as two-bedroom units and the applicant would like to have option for a 3-bedroom unit in the larger buildings. Parking spaces will be for 2 spaces per unit. This will provide diversity in housing for the project Branon said.

Staff Recommendation
Bachler noted that if the Planning Board votes to approve the proposed project, staff offers the following conditions of approval for consideration:

1. The freestanding sign at the entrances shall require Town Sign Permit.
2. Lighting shall be installed and arranged so as not to cause glare on abutting properties or on adjacent public roadway.
3. A landscape buffer along northern property line shall be maintained
4. A copy of the registration of the condominium with the New Hampshire Attorney General shall be provided.
5. A copy of the condominium association documents shall be provided to the Town.

Page asked for further comments or questions from the Board or other attendees. Bachler said at this time there is no one else with hand raised to comment. Self asked about sewage details showing manholes. Branon said he would make sure they are there. Bachler asked if the intention is to maintain the trees along the northern property line. Branon said they are removing trees for drainage but planning on keeping as many trees as possible. They believe there will be an adequate vegetative buffer.

Page asked for further concerns or questions and there were none.

Public Hearing closed at: 7:07 pm

Motion was made by York to approve the site plan and Condominium Subdivision plan of Alotek Contractors, LLC for a 32-unit residential condominium development on property situated off of Old Homestead Highway and shown at Map 36, Lot 1-2 and allowing for 3-bedrooms, subject to the following:

1. A landscape buffer along northern property line shall be maintained
2. A copy of the registration of the condominium with the New Hampshire Attorney General shall be provided.
3. A copy of the condominium association documents shall be provided to the Town.

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

DISCUSSION/OTHER BUSINESS

Recreational Trails Program Grant Letter of Support

The Board considered the request for a letter of support. Bachler will provide the letter and Self pointed out a typographical error that Bachler said he would correct.

> **Motion** was made by Sainsbury to approve a Letter of Support for the Recreational Trails Program Grant with the correction. There was a second to the motion by Self and no further discussion. All were in favor. ***Motion passed.***

Board meeting of June 11, 2020

Bachler noted there are no applications for the June 11, 2020 hearing. When asked about the Asher Properties application, Bachler said Asher Properties has submitted request to be heard by the ZBA on June 15th. A Site Plan Review application has not been submitted at this time.

> **Motion** was made by Self to cancel the June 11, 2020 meeting of the Planning Board due to no applications to be heard. There was a second by Johnson and no further discussion. All were in favor by roll call. ***Motion passed.***

Next Meeting: June 25, 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 7:15 p.m.

Respectfully Submitted,

Beverly Bernard, Recording Secretary