

CONWAY PLANNING BOARD

MINUTES

MAY 12, 2022

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CONWAY PLANNING BOARD

MINUTES

MAY 12, 2022

A meeting of the Conway Planning Board was held on Thursday, May 12, 2022 beginning at 7:00 pm at the Conway Town Office, Conway, NH. Those present were: Selectmen's Representative, Steven Porter; Ailie Byers; Bill Barbin; Eliza Grant; Erik Corbett; Mark Hounsell; Planning Director, Jamel Torres; and Planning Assistant, Holly Whitelaw.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Porter made a motion, seconded by Ms. Grant, to approve the minutes of April 14, 2022 – work session as written. Motion carried with Ms. Byers abstaining from voting and Mr. Hounsell as present.

Mr. Porter made a motion, seconded by Ms. Grant, to approve the minutes of April 14, 2022 – regular session as written. Motion carried with Ms. Byers abstaining from voting and Mr. Hounsell as present.

ELECTION OF OFFICERS

Mr. Porter nominated, seconded by Mr. Corbett, Ben Colbath as Chair. Ms. Byers asked for Board comment; Mr. Hounsell stated he believes people should be present for such a vote. Mr. Porter stated it has never been a problem in the past with someone not being here; Mr. Colbath already had a vacation planned, and the Board canceled the last meeting. Ms. Byers stated she spoke with Mr. Colbath and he is comfortable with the position. **Motion carried unanimously.**

Mr. Porter nominated, seconded by Mr. Barbin, Ms. Byers as Vice Chair. Ms. Byers asked for Board discussion; there was none. **Motion carried unanimously.**

Mr. Barbin nominated, seconded by Mr. Porter, Mr. Corbett as Secretary. Ms. Byers asked for Board comment; there was none. **Motion carried with Mr. Corbett abstaining from voting.**

AGENDA OUT-OF-ORDER

Mr. Porter made a motion, seconded by Ms. Grant, to take Lee Ann Realty out-of-order. Motion carried unanimously.

OTHER BUSINESS

Lee Ann Realty, Inc./Fletcher Moffett and Laura Denis (File #NA22-04): This is a request to allow a food truck at 14 Kearsarge Road, North Conway (PID 218-100). Coleman Moffett appeared before the Board.

Mr. Porter asked if he plans to continually operate the food truck from this location. Mr. Moffett stated he believes he does, and will be determined by how his business grows. Ms. Byers asked for public comment; there was none.

Mr. Porter made a motion, seconded by Ms. Grant, that the Planning Board determined that based on the provisions of §110-4. A.(5), regarding applicability, that this food truck to be located on site is not subject to a Full Site Plan Review because it has been demonstrated that the change of use and/or physical changes to the site are insignificant relative to the existing development. Motion carried unanimously.

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE SITE PLAN REVIEW REGULATIONS

§110-22.F. – Percentage of Parking Lots to be Landscaped: The purpose of this amendment is to require a certain percentage of the parking lot to be landscaped. Mr. Torres read the amendment.

Ms. Byers asked for Board comment; Mr. Corbett asked if this was for new lots or existing lots. Mr. Torres answered new applications. Ms. Byers opened public comment at 7:09 pm. Ms. Byers asked for public comment; there was none. Ms. Byers closed public comment at 7:10 pm.

Ms. Grant made a motion, seconded by Mr. Porter, to amend the site plan review regulations regarding §110-22.F. as proposed. Ms. Byers asked for Board comment; Mr. Hounsell asked for an explanation. Ms. Byers stated this is a new requirement. Mr. Hounsell asked when will this go into effect. Ms. Byers stated after it is voted on tonight. **Motion carried unanimously.**

§110-29.A.(2) – Types of vegetation within required buffer: The purpose of this amendment is to require a mixture of deciduous and coniferous plantings within the buffers. Mr. Torres read the amendment.

Ms. Byers asked for Board comment; there was none. Ms. Byers opened public comment at 7:14 pm. Ms. Byers asked for public comment; there was none. Ms. Byers closed public comment at 7:14 pm.

Mr. Porter made a motion, seconded by Mr. Corbett, to amend the site plan review regulations regarding §110-29.A.(2) as proposed. Motion carried unanimously.

CADORETTE FAMILY REVOCABLE TRUST (FILE #S22-01) – 3-UNIT SUBDIVISION REVIEW (PID 277-133)

Ron Briggs of Briggs Land Surveying appeared before the Board. This is an application to create three (3) residential units. **Mr. Porter made a motion, seconded by Mr. Barbin, to accept the application of Cadorette Family Revocable Trust for a 3-unit subdivision review as complete. Motion carried unanimously.**

Mr. Briggs reviewed the application with the Board. Ms. Byers asked for Board comment; there were none. Ms. Byers asked for public comment; there was none.

Mr. Porter made a motion, seconded by Mr. Hounsell, to conditionally approve the 3-unit subdivision for Cadorette Family Revocable Trust conditionally upon Town Engineer approval; Conway Village Fire Chief approval; Conway Village Fire District water and sewer approval; Conway Police Chief approval; adding handicap parking signs to the plan; submitting four copies of revised plans with original stamps and signatures; submitting a Mylar for recording; a \$25 check made payable to Carroll County Registry of Deeds for the L-CHIP fee; a performance guarantee for all on-site improvements; a performance guarantee for all off-site improvements [if necessary]; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on April 13, 2023. Motion carried unanimously.

OTHER BUSINESS CONTINUED

Mary Jane Digregorio/Miranda and Chance Wiygul (PID 259-104) – Conditional approval expiring (File #FR21-07 & #S21-09): Brett Deyling of CMA Engineers appeared before the Board. Mr. Porter made a motion, seconded by Mr. Corbett, to extend the conditional approval until May 11, 2023. Motion carried unanimously.

Letter from Sarah Frechette regarding Helicopters: Ms. Byers asked for Board comment; Mr. Hounsell stated between now and the work session this is discussed at the Board should become familiar with how this ordinance came into place; this was led by Chet Lucy. Mr. Torres suggested discussing maybe at a work session in August.

Appointment of Alternate Members: Ray Shakir and Steven Steiner were in attendance.

Mr. Hounsell made a motion, seconded by Mr. Barbin, to appoint Ray Shakir as an alternate for a one-year term. Motion defeated with Mr. Hounsell, Mr. Porter and Mr. Barbin voting in the affirmative and Mr. Corbett, Ms. Byers and Ms. Grant voting in the negative.

Mr. Porter made a motion, seconded by Mr. Barbin, to appoint Ted Phillips as an alternate for a one-year term. Motion carried with Mr. Corbett, Ms. Byers, Mr. Porter, Ms. Grant and Mr. Barbin voting in the affirmative and Mr. Hounsell voting in the negative.

Mr. Porter made a motion to appoint Steven Steiner as an alternate for a one-year term. There was no second.

Mr. Porter made a motion, seconded by Ms. Grant, to appoint Steven Hartmann as an alternate for a one-year term. Mr. Hounsell stated we don't know Mr. Hartmann's feeling on this, and there were other people who submitted letters. Mr. Porter withdrew his motion, and stated he would contact Mr. Hartmann.

The Board agreed to put Alternate Members on the May 26, 2022 agenda under Other Business.

Adopted: June 9, 2022 – As Written
CONWAY PLANNING BOARD – MAY 12, 2022

Selectmen's Report: Mr. Porter stated that the Board of Selectmen voted unanimously to spend up to \$100,000 to work on the Master Plan.

Meeting adjourned at 7:42 pm.

Respectfully Submitted,

Holly L. Whitelaw
Planning Assistant

Chapter 110. Site Plan Review

Article III. Design Standards

§ 110-22.F. Percentage of Parking Lots to be Landscaped. At a minimum, between 10% and 15% of the total square footage of the parking lot shall be landscaped. The higher percentage (15%) shall be used for larger parking lots consisting of 50 or more spaces. The lower percentage (10%) shall be used for smaller parking lots consisting of fewer than 50 parking spaces. Traffic control islands shall be a minimum of 12 feet in width. All parking lot landscaping shall be tolerant and appropriate for lot conditions. Existing natural groupings or clusters of trees/plantings shall also be preserved.

Chapter 110. Site Plan Review

Article III. Design Standards

§ 110-29. Landscaping.

A.(2). The buffer area shall be vegetated with a mixture of deciduous and coniferous plantings, except for driveways and other features approved by the Board. The plantings shall be placed to shield structures and uses from the view of abutting properties, where the abutting properties would otherwise be adversely impacted.

Planning Board Members
Town of Conway, NH
23 Main St.
Conway, NH 03818

Hi Planning Board Members,

Please allow me a moment to talk about helicopters. As you may know, we are not very helicopter friendly. I have pasted the below for quick reference.:

§ 190-10 Helicopters.

A. No helicopter or other rotary-wing aircraft capable of a vertical take-off and landing profile may land or take-off in the Town of Conway, except for properly licensed helicopters providing medical and related evacuation services and emergency services essential to the public health and safety, such as search and rescue, firefighting, law enforcement and other related services. No landing or take-off of commercial scenic helicopter tours or chartered flights shall be allowed in the Town of Conway.

B. The following may be allowed by special exception: The Zoning Board of Adjustment (ZBA) may approve helicopter operations for construction and survey work, where no other practical method is available to do the work, and for special events such as the visit of a dignitary, recreational events such as ski, tennis, equine or golf events, or some other events of a short-term nature. No approval for a special exception under this section shall be granted unless the ZBA makes a finding that the helicopter use will not constitute a nuisance or hazard to the Town residents and their property.

It may be time to look objectively at this or add it to the list. I know it is a long one already!

I full heartedly agree with: *No landing or take-off of commercial scenic helicopter tours or chartered flights shall be allowed in the Town of Conway.*

It is my feeling however, that there should be an allowance for some personal/private helicopter use, with restrictions.

If the Town of Conway were to include verbiage requiring homeowners wanting to install and use a helicopter pad, to provide a complete buffer of X (a reasonable sound barrier distance).

In my mind, this would mean no homes or other residential establishments in sight/earshot.

For example, if a homeowner chose to place it in the center of their 10-acre lot.

Unfortunately, the limits on this ordinance restrict landowner rights more than may be necessary in certain circumstances. As always, it is important and most ethical to work closely with abutters and be neighborly. I do think we will find that there are many of our citizens that would support having this option under the right circumstances.

Thank you so much for your time!

Sincerely,

Sarah Frechette