

CONWAY PLANNING BOARD

MINUTES

JANUARY 11, 2007

A meeting of the Conway Planning Board was held on Thursday, January 11, 2007 beginning at 7:02 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Vice Chair, Russell Henderson; Secretary, Steven Porter; Martha Tobin; Hud Kellogg; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Henderson made a motion, seconded by Mr. Porter, to approve the Minutes of December 14, 2006 as written. Motion carried with Ms. Tobin abstaining from voting.

J & W NORTH CONWAY DEVELOPMENT, LLC/MOUNTAIN VIEW ESTATES – CONCURRENT SITE PLAN AND UNIT SUBDIVISION REVIEW (PID 202-167) FILE – #FR07-01 & S07-01

Rob McSorley of Sebago Technics, Inc. appeared before the Board. This is an application to create 22 single-family dwellings and a 22-unit subdivision. **Mr. Henderson made a motion, seconded by Ms. Tobin, to accept the application of J & W North Conway Development, LLC/Mountain View Estates for a Concurrent Site Plan and Unit Subdivision review as complete. Motion unanimously carried.**

Mr. Irving reviewed changes to the plans and the outstanding items. Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver request for §131-66. **Mr. Henderson made a motion, seconded by Mr. Porter, to grant the waiver request for §131-66.** Mr. Drinkhall asked for Board comment; Mr. Porter asked if a note would be included on the plans that they would not petition the Town to take the driveway as a town road. Mr. McSorley stated that a note to that effect has already been added to the plan. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; Bob Tafuto of Ammonoosuc Survey Company stated that he is representing John Cannell, an abutter, and asked if a fence could be erected along both of Mr. Cannell's property lines. Mr. Tafuto stated that he has discussed this with the applicant. Mr. McSorley stated that they have agreed to install a chain link fence that would extend along the west side of the property 50-feet from the right-of-way to the existing trees and along the eastern property line 50-feet from the right-of-way to the southwest corner. Mr. Tafuto stated that Mr. Cannell had no other issues.

David Brooks asked if there was any added vegetation on the south side of the property. Mr. McSorley stated that there is an existing buffer. Mr. Brooks asked about the exterior

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lighting. Mr. McSorley stated it would be pole lighting along the front and would not leave the property. Mr. Brooks asked about the cross-country ski trail. Mr. McSorley stated that that would need to be discussed with the future owners, but not opposed, as long as the liability is discussed.

Mr. Porter stated in regard to the chain link fence, he understands Mr. Cannell's concern, but he is concerned with the aesthetic lack of beauty of a chain link fence. Mr. Porter asked if it would be possible to plant low growing shrubbery to block it. Mr. McSorley asked about a cedar split rail fence instead. Mr. Porter agreed with the split rail fence.

Ms. Tobin asked about lighting in the back yards. Mr. McSorley stated there is none proposed, but if it was installed it would have to be to code. Mr. McSorley stated that they usually use motion detectors.

Mr. Irving asked Mr. Tafuto if Mr. Cannell would agree to substitute the chain link fence with a split rail fence. Mr. Tafuto answered in the affirmative.

Mary Lamond stated she thought the chain link fence was a good idea in order to keep dogs off their properties. Mr. McSorley stated a chain link or a split rail cedar fence is satisfactory to his client. Edward Poliquin stated that the owner would like to install an aesthetically pleasing fence. Mr. Poliquin stated that the fence is not going to keep a dog off your property.

Kathy Hunter stated that she would rather see a split rail versus a chain link with some shrubbery. Ms. Hunter asked if these are condominiums or apartments. Mr. Irving stated that this is a condominium type development with common ownership in the land. Mr. Irving stated that they would own their own unit but doesn't preclude them from renting them out unless it is against the Associations bylaws.

Ms. Lamond asked the height of the building. Mr. Irving answered 2.5 stories. Ms. Hunter asked if the building would be cedar. Mr. Poliquin stated that it would be a cedar shake impression, but it would be vinyl. Ms. Hunter stated she is concerned as she has just constructed a new home and she did not want an apartment complex that could get run down and affect her property value. Mr. Irving stated that you can have that situation with any type of development and don't think their intention is low income. Mr. Drinkhall closed public comment. Mr. Drinkhall asked for board comment; there was none.

Mr. Henderson made a motion, seconded by Mr. Porter, to conditionally approve the Concurrent Site Plan and Unit Subdivision for J & W North Conway Development, LLC/Mountain View Estates conditionally upon Town Engineer Approval; NHDES Site Specific Permit and indicate approval number on plan; North Conway Water Precinct approval; North Conway Fire Chief Approval; Mylar's; indicate proposed split rail fence on the plans; a performance guarantee for all site improvements; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on May 10, 2007. Motion carried with Ms. Tobin abstaining from voting.

JOHN NELSON, JR – SUBDIVISION REVIEW CONTINUED (PID 258-68) FILE #S06-16

Paul Bergman of Bergman & Associates appeared before the Board. This is an application to subdivide 340± acres into 40-lots. This application was accepted as complete on June 22, 2006. The applicant and the Board discussed the outstanding items. **Mr. Henderson made a motion, seconded by Mr. Porter, to continue the application for John Nelson, Jr. until February 8, 2007. Motion unanimously carried.**

OTHER BUSINESS

Petitioned Zoning Amendment – §147.13.7.17 – Set a Public Hearing: Mr. Henderson made a motion, seconded by Mr. Porter, to hold a public hearing on January 25, 2007 in regard to §147.13.7.17. Motion unanimously carried.

Petitioned Zoning Amendment – §147.13.8.6.8.1 – Set a Public Hearing: Mr. Henderson made a motion, seconded by Mr. Porter, to hold a public hearing on January 25, 2007 in regard to §147.13.8.6.8.1. Motion carried with Mr. Kellogg voting in the negative.

Petitioned Zoning Amendment – §147.13.13.5.12; §147.13.6.13; §147.13.7.12; §147.13.8.13; §147.13.10.12; & §147.13.11.12 and §147.13.5.12.1; §147.13.6.13.1; §147.13.7.12.1; §147.13.8.13.2; §147.13.10.12.1; & §147.13.11.12.1 – Set a Public Hearing: Mr. Porter made a motion, seconded by Mr. Henderson, to hold a public hearing on January 25, 2007 in regard to §147.13.13.5.12; §147.13.6.13; §147.13.7.12; §147.13.8.13; §147.13.10.12; & §147.13.11.12 and §147.13.5.12.1; §147.13.6.13.1; §147.13.7.12.1; §147.13.8.13.2; §147.13.10.12.1; & §147.13.11.12.1, if approved by the Supervisor of the Checklist. Motion carried with Mr. Kellogg abstaining from voting.

Proposed Planning Board Zoning Amendments – §147.5 – Set a Public Hearing: Mr. Henderson made a motion, seconded by Mr. Porter, to hold a public hearing on January 25, 2007 in regard to §147.5. Motion unanimously carried.

Proposed Planning Board Zoning Amendments – §147.13.1.2.4.1.5, §147.13.2.2.4.1.5, §147.13.3.2.4.1.5, §147.13.4.2.4.1.5, §147.13.5.2.5.1.5, §147.13.6.3.5.1.5, §147.13.7.2.5.1.5; and §147.13.8.2.5.1.5– Set a Public Hearing: Mr. Henderson made a motion, seconded by Mr. Porter, to hold a public hearing on January 25, 2007 in regard to §147.13.1.2.4.1.5, §147.13.2.2.4.1.5, §147.13.3.2.4.1.5, §147.13.4.2.4.1.5, §147.13.5.2.5.1.5, §147.13.6.3.5.1.5, §147.13.7.2.5.1.5; and §147.13.8.2.5.1.5. Motion unanimously carried.

Meeting adjourned at 7:58 pm.
Respectfully Submitted,

Holly L. Meserve
Planning Assistant