

CONWAY PLANNING BOARD

MINUTES

JANUARY 23, 2014

PAGES

- | | |
|---|---|
| 1 | Review and Acceptance of Minutes <ul style="list-style-type: none">• December 12, 2013 – Adopted as Written |
| 1 | Shawn and Rebekah Edwards and Fram Real Estate Investment Company LLC – Boundary Line Adjustment (PID 276-93.2 & 94) File #S14-01 <ul style="list-style-type: none">• Conditionally Approved |
| 2 | Robert Nelson and Kerri McCauley – Two-Lot Subdivision Review (PID 265-157) File #S14-02 <ul style="list-style-type: none">• Conditionally Approved |
| 2 | North Conway Community Center – Conceptual Consultation (PID 218-29) |
| 3 | Other Business <ul style="list-style-type: none">• Public Service of New Hampshire (PID 252-42) - §123-4.A.5 (File #NA14-01)• Balsam Ridge Lodge (PID 251-157) – Request to extend conditional approval (File #FR12-01)• Fandangle’s LTD (PID 246-42) – Request to extend Conditional Approval (File #FR12-08)• Whiskiers LLC – Lot Merger (PID 247-14 & 15)• Walmart – Lot Merger (PID 246-61, 246-62 & 235-55.1)• Committee Reports<ul style="list-style-type: none">○ Sign Advisory Committee |

CONWAY PLANNING BOARD

MINUTES

JANUARY 23, 2014

A meeting of the Conway Planning Board was held on Thursday, January 23, 2014 beginning at 7:04 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Carl Thibodeau; Secretary, Martha Tobin; Kevin Flanagan; Eric Porter; Ray Shakir; Planning Director, Thomas Irving and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Ms. Tobin made a motion, seconded by Mr. Thibodeau, to approve the Minutes of December 12, 2013 as written. Motion unanimously carried.

SHAWN AND REBEKAH EDWARDS AND FRAM REAL ESTATE INVESTMENT COMPANY LLC – BOUNDARY LINE ADJUSTMENT (PID 276-93.2 & 94) FILE #S14-01

Ron Briggs of Briggs Land Surveying appeared before the Board. This is an application to convey one acre of land to PID 276-93.2 (Edwards) from Fram (PID 276-94) at 398 and 414 Eaton Road. Mr. Briggs stated that a variance was granted by the Zoning Board of Adjustment to allow a non-conforming lot to be changed. **Ms. Tobin made a motion, seconded by Mr. Flanagan, to accept the application of Shawn and Rebekah Edwards and Fram Real Estate Investment Company for a Boundary Line Review as complete. Motion unanimously carried.**

Mr. Irving asked if Mr. Briggs had contacted the Carroll County Registry of Deeds and are they ok without having the entire parcel. Mr. Briggs answered in the affirmative. Mr. Shakir asked why they are proposing such a configuration. Mr. Briggs stated the Fram parcel owners did not want to go any further easterly in order to keep the yard area behind the house. Mr. Porter asked for public comment; there was none.

Mr. Porter read a waiver request for §131-24.B & 25.B. **Ms. Tobin made a motion, seconded by Mr. Flanagan, to grant the waiver for §131-24.B & 25.B.** Mr. Porter asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Tobin made a motion, seconded by Mr. Eric Porter, to conditionally approve the Boundary Line Adjustment for Shawn and Rebekah Edwards and Fram Real Estate Investment Company LLC conditionally upon submitting a recorded access easement and indicate book and page on plan; submitting a recorded overhead electrical easement and indicate book and page on plan; submitting four copies of revised plans; submitting a Mylar for recording; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on April 24, 2014. Motion unanimously carried.

**ROBERT NELSON AND KERRI MCCAULEY – TWO-LOT SUBDIVISION REVIEW
(PID 265-157) FILE #S14-02**

Diane Smith of Thaddeus Thorne Surveys and Robert Nelson appeared before the Board. This is an application to subdivide 9.10 acres into two-lots at 24 and 66 Emery Lane. **Ms. Tobin made a motion, seconded by Mr. Eric Porter, to accept the application of the Robert Nelson and Kerri McCauley for a subdivision review as complete. Motion unanimously carried.**

Mr. Porter asked for board comment; there was none. Mr. Porter asked for public comment; there was none.

Ms. Tobin made a motion, seconded by Mr. Flanagan, to conditionally approve the subdivision for Robert Nelson and Kerri McCauley conditionally upon Conway Village Fire District Water and Sewer Approval; a performance guarantee for all site improvements; submitting a Mylar for recording; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on April 24, 2014. Motion unanimously carried.

NORTH CONWAY COMMUNITY CENTER – CONCEPTUAL CONSULTATION (PID 218-29)

Burr Phillips of Civil Solutions appeared before the Board. Mark Miller was in attendance. This is a conceptual consultation to construct a 9,000 square foot community center at 2628 White Mountain Highway.

Mr. Shakir stated because of the objections of the expansion of the original building we now end up with two buildings. Mr. Phillips agreed and stated that the view was a concern. Mr. Shakir stated he sees the solution as worse than the original proposal. Mr. Shakir asked why not expand the original building and make it a lower profile. Mr. Phillips stated that they are listening to the community and they did not want the building where it would obstruct the views. Mr. Shakir asked why not remove the existing building. Mr. Phillips answered it has sentimental value.

Mr. Steve Porter stated that thinks this is a great idea; it's a win win for the valley. Mr. Flanagan asked if public bathrooms would still be provided. Mr. Miller answered in the affirmative. Mr. Thibodeau asked if there is an agreement with the North Conway Country Club to cross their land. Mr. Miller stated we have a written agreement.

Mr. Thibodeau stated there was a boundary line adjustment with the Town and jointly shared with the North Conway Community Center and asked if that has been rectified. Mr. Irving stated it was to tidy up some ownership of Norcross Circle, but does not need to be done for this application. Mr. Irving stated that a cross-easement with the Town and the North Conway Country Club will need to be recorded. Mr. Irving asked if this design was affecting any of the existing parking utilized by the North Conway Country Club. Mr. Phillips answered in the negative and stated none of the work is on the country club land.

**Adopted: February 27, 2014 – As Written
CONWAY PLANNING BOARD – JANUARY 23, 2014**

Mr. Phillips asked if they are going to have to look at the North Conway Country Club land for site plan approval since they are not adjusting their parking. Mr. Irving answered in the affirmative and stated that the Site Plan Review Regulations would apply to the North Conway Country Club property because you are increasing the activity on that property, but the Board may be able to review it under a not applicable. Mr. Irving stated that this project would involve both the North Conway Country Club and North Conway Community Center land as both sites are being modified and it will include a shared parcel with the Town.

Mr. Flanagan asked the intended use of the old building. Mr. Miller stated that they would renovate it historically and look for a non-profit to use the building as well as continue to use it for functions. Mr. Thibodeau stated that the North Conway Country Club currently uses a portion of the North Conway Community Center land for parking; is there a deeded easement. Mr. Phillips stated there is a written document, but not sure there is a recorded easement. Mr. Thibodeau stated that it should be a condition of approval.

Mr. Phillips asked if the parking concept seem reasonable. Mr. Steve Porter stated that it makes sense to him. Ms. Tobin stated she appreciates the work put into this project to meet the communities request; she prefers to see it tucked away instead of where it was originally proposed. Mr. Porter asked for public comment; there was none.

OTHER BUSINESS

Public Service of New Hampshire (PID 252-42) - §123-4.A.5 (File #NA14-01): Nick Golan of TF Moran and Gary O’Kula, Transmission Project Manager, of PSNH appeared before the Board. This is a request to allow a 160’ x 191’ expansion to accommodate necessary infrastructure improvements of the existing gravel yard and a 20’ wide gravel access drive at 80 East Conway Road. Mr. Golan stated that they received a variance from the Zoning Board of Adjustment for wetland repositioning and there is a wetland application pending with the State.

Mr. Shakier asked about lighting. Mr. Golan stated it would only be on if there are power outages. Mr. Shakier asked if the equipment would be in a separate structure. Mr. O’Kula answered in the affirmative. Mr. Flanagan asked if there were any noise associated with this equipment. Mr. Golan stated that they try to meet the local ordinance and they liken it to no increase in the background volumes. Mr. Irving reviewed the ordinance and stated that he has no concerns that they meet the regulations.

Mr. Shakir made a motion, seconded by Ms. Tobin, that the Planning Board determined that based on the provisions of §123-4. A. 5, regarding applicability that the 160’ x 191’ expansion of the existing gravel yard and a 20’ wide gravel access drive is not subject to a Minor or 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 unanimously carried.

Balsam Ridge Lodge (PID 251-157) – Request to extend Conditional Approval (File #FR12-01): Mark Lucy of White Mountain Survey and Engineering appeared before the Board. Mr. Lucy stated that the site plan review regulations were last amended on April 28, 2010 and this site received site plan approval on January 26, 2012. Mr. Lucy stated there have been no changes to the regulations that would affect the original approval.

Mr. Irving stated conditions are primarily approvals from other agencies and asked Mr. Lucy if they have received the NHDES septic approval. Mr. Lucy answered in the affirmative. **Ms. Tobin made a motion, seconded by Mr. Flanagan, to extend the conditional approval for Balsam Ridge Lodge until January 22, 2015. Motion unanimously carried.**

Fandangle's LTD (PID 246-42) – Request to extend Conditional Approval (File #FR12-08): Michael Milazzo of Milazzo & Associates LLC appeared before the Board. Mr. Milazzo stated they have been seeking out a national chain, thought we had settled on one and now we feel we have picked the right one. Mr. Irving asked if they are pursuing permits from the other agencies. Mr. Milazzo stated that they wanted a flag chain first and now working on those other agency approvals. Mr. Irving stated that they cannot sit on this project forever. Mr. Milazzo agreed and stated that they think they have found a tenant.

Mr. Flanagan made a motion, seconded by Mr. Eric Porter, to extend the conditional approval for Fandangle's LTD until July 24, 2014. Motion carried with Ms. Tobin voting in the negative.

Whiskiers, LLC – Lot Merger (PID 247-14 & 15): Ms. Tobin made a motion, seconded by Mr. Eric Porter, to sign the lot merger for Whiskiers, LLC to merge PID 247-14 & 15. Motion unanimously carried.

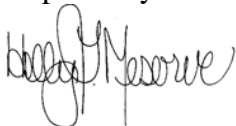
Walmart – Lot Merger (PID 246-61, 246-62 & 235-55.1): Ms. Tobin made a motion, seconded by Mr. Eric Porter, to sign the lot merger for Walmart to merge PID 246-61, 246-62 and 235-55.1. Motion unanimously carried.

Committee Reports:

Sign Advisory Committee: Mr. Thibodeau stated that the sign committee met and charged Mr. Irving and himself with figuring out a more viable plan to measure signage, which we have not done yet. Mr. Thibodeau stated that the next meeting is February 6 at 6:30 and they will be discussing A-frames, feather flags and projecting signs.

Meeting adjourned at 8:15 pm.

Respectfully submitted,



Holly L. Meserve, Recording Secretary