

**CONWAY PLANNING BOARD**

**MINUTES**

**MARCH 24, 2011**

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## CONWAY PLANNING BOARD

### MINUTES

MARCH 24, 2011

A meeting of the Conway Planning Board was held on Thursday, March 24, 2011 beginning at 7:01 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Vice Chair, Martha Tobin; Secretary, Patricia Sell; Steven Hartmann; Scott Lees; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve

#### REVIEW AND ACCEPTANCE OF MINUTES

**Ms. Tobin made a motion, seconded by Ms. Sell, to approve the Minutes of March 10, 2011 as written. Motion unanimously carried.**

#### OTHER BUSINESS

**North Creek Partners LP – §123-4.A.5 (File #NA11-08) – PID 215-24:** This is an application to convert personal service to retail space at 2936 White Mountain Highway (PID 215-24). Mr. Irving stated that currently the space is approved for 50% personal service and 50% retail. Mr. Irving stated that this is the former 121 Fit location. Mr. Irving stated that the proposed use is a bicycle shop with up to 300 square feet of personal service.

Mr. Hartmann asked what the personal service is. Carl of Red Jersey Cycle stated that they do consulting for training and they bring in a massage therapist.

**Ms. Sell made a motion, seconded by Mr. Lees, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the conversion of 50% personal service and 50% retail space to 300 square feet of personal service and the remaining area to be retail space 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.**

**Whitesides Realty, Inc – §123-4.A.5 (File #NA11-05) – PID 230-4:** Mary Gaudette appeared before the Board. This is an application to convert retail space to personal service at 2076 White Mountain Highway. Mr. Irving stated the space is the former Appliance Center and they would like to change the use to a nail salon. Mr. Porter stated he doesn't think this will have much of an impact.

**Ms. Tobin made a motion, seconded by Ms. Sell, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the conversion of retail space to personal service 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.**

**Katherine Brassill/Adventure Suites – §123-4.A.5 (File #NA11-06) – PID 202-14:** Katherine Brassill appeared before the Board. This is an application to construct a second floor to five suites for a total of 2,500 square feet at 3440 White Mountain Highway (PID 202-14). Mr. Irving stated that the building appears to be two floors now with the façade. Mr. Porter stated his only concern is the height and the view from surrounding properties. Mr. Irving stated there are no additional rooms so there would not be any additional loading on the parking. Mr. Irving stated they are adding square footage to the existing rooms and there are no additional rooms proposed at this time.

Mr. Lee stated they are making a one story room a two story room. Ms. Brassill answered in the affirmative. Mr. Lee asked if they are currently in compliance. Mr. Irving stated that he is not aware of any violations. Ms. Sell asked if there would be any existing signs on the new construction. Ms. Brassill answered in the negative. Mr. Hartmann stated the abutters should be notified with the possible change in people's site lines.

Mr. Hartmann asked the size of the building. Alan Doucette answered 50' x 200'. Mr. Hartmann stated the proposed square footage is 20% of the existing building and that is significant. Mr. Doucette stated they are proposing to increase the square footage of the existing rooms. Mr. Doucette stated they are not effecting the view from the outside except for a knee wall to decorate and blend it all in so that it is not an ugly roof.

Mr. Lees asked what the problem with going through a site plan is. Ms. Brassill stated that we have just gone through it twice and it is a lot of money.

**Ms. Sell made a motion, seconded by Mr. Hartmann, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the construction of a second floor to five suites for a total of 2,500 square feet 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 defeated.**

**Robert Porter/Porter Office Machines – §123-4.A.5 (File #NA11-07):** Jeff Sullivan appeared before the Board. This is an application to construct a 9' x 21' receiving dock at 1337 White Mountain Highway (PID 246-11). Mr. Porter stated that this is his brother's business and there is no gain for him. Mr. Porter asked if the Board wanted him to step down. The Board was okay with Mr. Porter sitting on this application.

Mr. Hartmann asked if this would be visible from Route 16. Mr. Porter stated it would be visible driving from Burger King [south], but not from Conway Eye Care [north].

**Mr. Porter made a motion, seconded by Ms. Sell, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the construction of a 9' x 21' receiving dock 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.**

**Josh Brustin – 22 Oak Street (PID 219-6) – Conceptual Review:** Josh Brustin appeared before the Board. Mr. Brustin stated that he has a three family apartment building and wants to convert it to a four family apartment building. Mr. Brustin stated in 2006 he received approval from the Zoning Board of Adjustment for the fourth unit. Mr. Brustin submitted a site plan to the Board.

Mr. Porter asked if there are currently any issues with parking. Mr. Irving stated that some of the existing parking is in the buffer. Ms. Sell asked if the parking could be moved to the back of the lot. Mr. Brustin stated that they would prefer to leave the back yard as there are families in the apartments. Mr. Hartmann asked if there would be any changes to the exterior. Mr. Brustin answered in the negative.

Mr. Lee stated he used to live in this neighborhood and you should move the parking to the back of the lot; you're not going to lose that much area. Mr. Lee stated that he thinks you will have difficulty obtaining approval for the parking in the front buffer. Ms. Sell stated there is a setback from the railroad tracks as well.

Mr. Porter stated he should redesign the parking out of the setbacks and more into conformity. The Board agreed this site requires a full site plan review.

**Bowtie Realty, LLC – Lot Merger (PID 235-40, Units 1 through 32):** Mr. Lees stepped down at this time. Mr. Irving stated that this is a commercial condominium which they could have sold the units; however, the current owner does not want 32 tax bills. **Ms. Sell made a motion, seconded by Mr. Hartmann, to sign the lot merger for PID 235-40, units 1 through 32). Motion unanimously carried.**

**Committee Reports:** Mr. Lees rejoined the Board at this time. Mr. Lees stated that he has been working on sign lighting.

Mr. Irving asked the Board if they would like him to take a closer look at the non applicable that is granted administratively. Mr. Irving stated that he could make it so that it is an increase of up to 400 square feet in accumulative square footage or a decrease of 200 square feet in accumulative greenspace. The Board agreed they would like to see such a draft.

Meeting adjourned at 7:55 pm.

Respectfully Submitted,



Holly L. Meserve  
Planning Assistant