

**CONWAY PLANNING BOARD**

**MINUTES**

**AUGUST 8, 2002**

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## CONWAY PLANNING BOARD

### MINUTES

August 8, 2002

A meeting of the Conway Planning Board was held on Thursday, August 8, 2002 at 7:04 p.m. in the Meeting Room at Conway Town Hall in Center Conway, New Hampshire with the following present: Planning Board members, Robert Drinkhall (Acting Chair), Conrad Briggs, Brian Glynn, Martha Tobin, and David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Karen Hallowell.

#### REVIEW AND ACCEPTANCE OF MINUTES

The minutes of 7/18/02 and 7/25/02 were considered. The following amendments were offered to the minutes of 7/18/02: Brian Glynn advised that he was not present at the meeting and Conrad Briggs advised that he was present at this meeting. **Mr. Briggs made a motion, seconded by Ms. Tobin, to accept the minutes of 7/18/02 as amended and the minutes of 7/25/02 as written. The motion unanimously carried.**

#### HAROLD WHITAKER AND THOMAS FADDEN – 6 LOT SUBDIVISION REVIEW CONTINUED

Bob DeFuto of Ammonoosuc Survey Company appeared before the Board and advised that he represents Mr. Whitaker and Mr. Fadden. Mr. DeFuto stated that as of the last meeting they were waiting for the Town's attorney to give an opinion as to whether they have rights to use the road. The Attorney seems to agree with them that they do have rights to use the road. Mr. DeFuto requested a vote on waivers.

Mr. Irving advised that there are a couple of waivers involved with this and he does not recommend that the Board move on these yet, specifically the drainage calculations as the Town Engineer has not had an opportunity to review the plans as yet. Mr. Irving stated this is something that will need to be continued until staff has had an opportunity to review the latest submission that arrived at Town Hall on August 5, 2002. The applicant is aware of this and they were expecting to be continued with regard to this issue.

Mr. Irving next advised that with respect to scale or the 3:1 lot ratio, he has no issues if the Board would like to consider these waiver requests. Mr. DeFuto agreed. Mr. Drinkhall read aloud the standards for granting waivers. Mr. Drinkhall read the waiver request for 131-24 and 131-25 Scale. Mr. Drinkhall asked for comments from the public. There were none. Mr. DeFuto next gave an explanation of the lot. **Mr. Briggs made a motion, seconded by Ms. Tobin, to grant the waiver request for Article 131-24 and 131.25. The motion carried unanimously.**

There was next discussion regarding the 3:1 lot ratio. Mr. DeFuto advised there is only one lot that does not fit the 3:1 ratio, but this lot is over five acres. All of the other lots have a nice configuration and this last one took up the remainder of the land in order to make it fit with the reason being they wanted all lots to be 5 acres or more.

Mr. Drinkhall requested public comments. There were none. Mr. Drinkhall next read the waiver request for 131-30. **Mr. Glynn made a motion to grant Article 131-30 as requested. Mr. Briggs seconded and the motion carried unanimously.**

With regard to the drainage calculation waiver, Mr. Irving suggested continuing this for two weeks to give staff the opportunity to review the information and the latest submissions, and for the applicant's agents to make a few more adjustments to the plan. **Mr. Briggs made a motion, seconded by Mr. Robinson, to continue this for two weeks to the meeting of August 22, 2002. The motion carried unanimously.**

THOMAS A. FADDEN AND VICKI GRAVES – 4-LOT SUBDIVISION TO SUBDIVIDE 105 ACRES INTO FOUR (4) LOTS ON EAST CONWAY ROAD, CENTER CONWAY (PID 255-5.1).

Thomas A. Fadden appeared before the Board.

Mr. Irving advised that he received communication earlier today from the NHDOT advising when they issued the driveway permit for this they were under the understanding that all parties were supporting the movement of the right of way. This is why the original permit requires that the old driveway be blocked. This raised a concern because the Town's attorney said that if everyone agrees to moving the right of way that is fine; however, if only some of the parties agree to the moving of the right of way, this is okay too so long as nothing impeded the use of the other property owners from the old right of way. This is contrary to the State's requirement that the right of way be blocked and now the State has requested that once the Board has accepted this application that it be continued to give them an opportunity to revisit how they have to go about issuing or addressing that permit.

Mr. Fadden reviewed that this application was submitted last fall and thereafter, in March of 2002, it was denied without prejudice because of issues with the right of way. He next stated he feels they have solved most of the issues and is now resubmitting the application for a four-lot subdivision. All the permits are in hand with the exception of the driveway permit.

**Ms. Tobin made a motion, seconded by Mr. Glynn, that we accept the application as complete. The motion carried unanimously.**

Mr. Irving suggested addressing the waiver for scale and then continue the public hearing based on the letter received today from the NHDOT. Mr. Irving advised that as far as the Town's regulations, this application is in good shape; however, he is still waiting for a revised letter from the Fire Chief and, also, we need confirmation from the Town Engineer that he is okay with the drainage and design. Mr. Fadden agreed with acting on the waiver tonight and then he would deal with the NHDOT issues.

Mr. Drinkhall requested public comment. Nancy Hayes questioned if there would be another public hearing regarding this matter. The Board confirmed this public hearing would be continued and reopened. Ms. Hayes stated that she would hold her comments until the NHDOT makes their decision.

Mr. Drinkhall read the waiver request for 131-24 and 131-25 Scale. Mr. Drinkhall asked if there were any further comments from the public or the Board. There were none. **Mr.**

**Briggs made a motion, seconded by Ms. Tobin, to grant the waiver request for Article 131-24 and 131.25. The motion carried unanimously**

The Board and Mr. Fadden agreed to continue the public hearing in this matter to August 22, 2002. **Mr. Briggs made a motion, seconded by Martha Tobin, to continue this hearing to August 22, 2002. The motion carried unanimously.**

CONWAY VILLAGE FIRE DISTRICT – PRESENTATION OF CONWAY VILLAGE PARK per RSA 674-54

Thom Steele, Leann Boelzner, and John Wacker appeared before the Board and reviewed plans for the proposed Conway Village Park. Mr. Wacker presented diagrams of the existing park and also a diagram with the proposed improvements. Mr. Wacker advised they have discovered there is more land available along Pequawket Pond and they are proposing a path system and canoe launch for this area. Also, it was realized they could create a park with more green space for events, a kiosk, etc. Mr. Wacker next advised they would be moving the ice rink back and will have a warming hut that will function in both the winter and summer. Mr. Wacker stated this plan would set a new look for Main Street, would change its character and bring it into the future.

Mr. Drinkhall asked for comments from the public. Nina Veregge advised she is an abutter to the Park and her home is located on Lake Street. Ms. Veregge stated that she thinks this is a wonderful plan and a great benefit to the area. However, she had one concern in that the proposed path will be too close to her fence line and requested they take another look at this. Mr. Irving suggested that plantings be made in this area. Mr. Wacker stated they would review this and take Ms. Veregge's concerns into account.

There was further brief discussion regarding the plan. Mr. Briggs stated this looks like a wonderful plan for the park. The Board agreed. Mr. Wacker also advised the State is very happy with the plan as well.

Mr. Irving advised that in conforming with RSA 674-54 the Conway Village Fire District has now given the public, town wide, the opportunity to comment and look at the merits of this project. **Motion was made by Mr. Glynn, seconded by Mr. Briggs, to thank the Conway Village Fire District for coming to the meeting, wishing them luck with the project, and finding that we plan to take no more further action under RSA 674-54. The motion carried unanimously.**

OTHER BUSINESS

NHDOT Letter Re: Rail Platform on North/South Road – Mr. Irving reviewed that at the last Board meeting Mr. O'Brien requested that he check with the State regarding the rail platform the State is constructing along the North-South Road. Mr. Irving next read aloud a response received from the NHDOT and a copy of same is attached hereto. Mr. Irving advised that he concurs with the NHDOT opinion and they do not have to come before the Planning Board.

Joint Board of Selectmen and Planning Board Meeting - Mr. Irving reviewed that the Joint Meeting of the Board of Selectmen and the Planning Board is scheduled for August 22, 2002 at 6:00 p.m. Mr. Irving requested the Board submit any items they would like to discuss with the Board of Selectmen for the agenda. Mr. Irving next advised that one

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item for discussion will be a fee study for reviewing plans and permits. Mr. Briggs stated he would like to discuss parking with the Board of Selectmen.

A-Frames – Mr. Robinson inquired as to whether a recent newspaper article regarding A-frames was correct. Mr. Irving confirmed the story was not correct. Mr. Briggs advised that a few years ago the issue of A-frames was on the Warrant and was voted down. His opinion is that the feelings of the Town may now have changed. Mr. Irving suggested putting forth another warrant article for A-frames.

Grandfathered Signs – Mr. Drinkhall next questioned the issue of grandfathered signs. Mr. Irving explained that an existing sign has to be abandoned or it is grandfathered.

Code Compliance Officer – Mr. Robinson questioned if the Town has hired a part time Code Compliance Officer. Mr. Irving advised the Town has hired Jim Yeager for this position.

**ADJOURNMENT**

**Mr. Glynn moved, seconded by Ms. Tobin, to adjourn the meeting. The motion carried unanimously.**

The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Karen J. Hallowell  
Recording Secretary