

CONWAY PLANNING BOARD

MINUTES

SEPTEMBER 11, 2003

PAGES

- 1 Review and Acceptance of Minutes
- August 28, 2003 – Adopted as Written
- 1 Agnes Birch/Green Granite Limited Partnership – Full Site
Plan Review (PID 246-35) File #FR03-06
- Continued until September 25, 2003.
- 1 Village at Kearsarge/S.B. Cheney Corp. – Subdivision
Review (PID 202-85, 86 & 87) File #S03-22
- Approved; Plans Signed
- 2 Thornton Investment Properties, Inc. – Full Site Plan
Review (PID 265-198) File #FR03-08
- Conditionally Approved
- 3 Joseph E. Sullivan – Subdivision/Boundary Line Adjustment
Review (PID 235-76) File #S03-21
- Conditionally Approved
- 5 Joseph E. Sullivan – Public Hearing – Pursuant to RSA
676:4-a, I(a) (PID 235-76) File #90-32-S
- Approval Revoked
- 5 Other Business
- John Durocher/Great American Ski Renting Co
(PID218-58) File #MR99-06
 - Nearledge – As Built Plan Signing (PID 201-10.001 &
10.002)
 - Old Mill Estates – As Built Plan Signing (PID 268-
117.33)

Adopted: September 25, 2003 – As Written

CONWAY PLANNING BOARD

MINUTES

SEPTEMBER 11, 2003

A meeting of the Conway Planning Board was held on Thursday, September 11, 2003, beginning at 7:00 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Selectmen's Representative, Dick O'Brien; Vice Chair, Robert Drinkhall; Secretary, Brian Glynn; Conrad Briggs; Martha Tobin; David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Briggs made a motion, seconded by Ms. Tobin, to approve the Minutes of August 28, 2003 as written. Motion carried with Mr. O'Brien abstaining from voting.

AGNES BIRCH/GREEN GRANITE LIMITED PARTNERSHIP – FULL SITE PLAN REVIEW (PID 246-35) FILE #FR03-06

Mr. Irving stated that the applicant has requested a continuance. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to continue the Full Site Plan Review for Agnes Birch/Green Granite Limited Partnership until September 25, 2003. Motion unanimously carried.**

VILLAGE AT KEARSARGE/S.B. CHENEY CORP. – SUBDIVISION REVIEW (PID 202-85, 86 & 87) FILE #S03-22

Diane Smith Thaddeus Thorne Surveys and Steve Cheney, applicant, appeared before the Board. This application is to allow a driveway to service three lots on Tree Top Lane. Mr. Cheney stated that there was ledge and water lines that went across the front of the property that limited the access to Country Road. Mr. Irving stated that this is an existing subdivision and this is the build out of this situation in this subdivision. Mr. Irving stated that this took place in another area in this same subdivision. **Mr. Glynn made a motion, seconded by Mr. Drinkhall, to accept the application for Subdivision Review for Village at Kearsarge/S.B. Cheney Corp. as complete. Motion unanimously carried.**

Ms. Duane read the requirements to grant a waiver. Ms. Duane read the waiver request for Articles §131-24.E. Wooded areas within 200'; §131-24.B./24.D./25.B./25.E. Existing lot sizes in square feet and acres; §131-25.E. Existing lot/Monuments at corners; §131-24.E. & 25.F. List/Location of Existing/Proposed Easements/Deed Restrictions; §131-24.E. & 25.F. Building Setback Lines; §131-24.E. Water Mains and Sanitary Sewers; §131-24.E. Drainage Structures, Lines and Ways; §131-24.G. Existing/Proposed Telephone, electricity and other utilities; §131-24.J. & 29. Soil Mapping units and unit boundaries/Soil Suitability Calculations; §131-24.K./131-24.V. Statement of soil

**Adopted: September 25, 2003 – As Written
CONWAY PLANNING BOARD – SEPTEMBER 11, 2003**

suitability for development/ Contiguous area <15% slope of 8K/4K per unit; §131-24.L. Statement of work on existing streets; §131-24.N. 2-Foot Contours; §131-24.O. Preliminary Drainage Analysis and Computations; §131-24.P. Preliminary Road Profiles; §131-24.R. Statement that lots and road centerlines are adequately flagged; §131-24.T. Test Pit 10-Foot Deep; §131-24.U. Percolation Test Data and Date; §131-24.W. Benchmark; and §131-26A., B. & C. Subdivision grading and drainage plans/road design/Subdivision Utility Plan.

Mr. Briggs made a motion, seconded by Mr. Drinkhall, to grant the waiver request for Articles §131-24.E. Wooded areas within 200'; §131-24.B./24.D./25.B./25.E. Existing lot sizes in square feet and acres; §131-25.E. Existing lot/Monuments at corners; §131-24.E. & 25.F. List/Location of Existing/Proposed Easements/Deed Restrictions; §131-24.E. & 25.F. Building Setback Lines; §131-24.E. Water Mains and Sanitary Sewers; §131-24.E. Drainage Structures, Lines and Ways; §131-24.G. Existing/Proposed Telephone, electricity and other utilities; §131-24.J. & 29. Soil Mapping units and unit boundaries/Soil Suitability Calculations; §131-24.K./131-24.V. Statement of soil suitability for development/ Contiguous area <15% slope of 8K/4K per unit; §131-24.L. Statement of work on existing streets; §131-24.N. 2-Foot Contours; §131-24.O. Preliminary Drainage Analysis and Computations; §131-24.P. Preliminary Road Profiles; §131-24.R. Statement that lots and road centerlines are adequately flagged; §131-24.T. Test Pit 10-Foot Deep; §131-24.U. Percolation Test Data and Date; §131-24.W. Benchmark; and §131-26A., B. & C. Subdivision grading and drainage plans/road design/Subdivision Utility Plan. Motion unanimously carried.

Ms. Duane read a waiver request for Article 131-66. **Mr. Glynn made a motion, seconded by Mr. O'Brien, to grant the waiver request for Article 131-66. Motion unanimously carried.** Ms. Duane asked for public comment; there was none. **Mr. Drinkhall made a motion, seconded by Mr. Glynn, to finally approve the Subdivision for the Village at Kearsarge/S.B. Cheney Corp. Motion unanimously carried.** The plans were signed.

**THORNTON INVESTMENT PROPERTIES, INC. – FULL SITE PLAN REVIEW
(PID 265-198) FILE #FR03-08**

Shawn Bergeron of Bergeron Technical Services and Robert Thornton, applicant, appeared before the Board. This application is to convert the former WMWV Radio office building to six (6) apartment units and the construction of a gazebo. Mr. Bergeron stated that the building would remain as is with just a few modifications. Mr. Bergeron stated that there is a tree in the NHDOT right-of-way that will have to be removed. **Mr. Briggs made a motion, seconded by Ms. Tobin, to accept the application of Thornton Investment Properties, Inc. for a full site plan review as complete. Motion unanimously carried.**

Mr. Bergeron submitted a cut sheet of the lighting, a picture of the building elevations and the dumpster screening detail. Mr. Irving asked about the access to the utility

**Adopted: September 25, 2003 – As Written
CONWAY PLANNING BOARD – SEPTEMBER 11, 2003**

building for the antenna on River Road. Mr. Bergeron stated that they only access that building a few times a year and they can park in the new parking lot and walk over it.

Mr. Briggs asked if there is going to be any other construction on this site. Mr. Bergeron stated that there are discussions, but there are a few details that still need to be worked out prior to any other construction. Mr. Irving asked if there would be any other changes to the elevations. Mr. Bergeron answered in the negative and stated that the 5% window requirement is met. Ms. Duane asked why not put the parking lot behind the house. Mr. Bergeron stated that the entrance to the apartments is in the front of the building. Mr. Bergeron stated if the parking area were to be behind the building, it would be shaded all winter long, which could cause an ice and snow issue, plus there is copper wires under the ground for the tower.

Ms. Duane read the waiver requests for Articles 123-30.E.; 123-20.G.; 123-20.I.; 123-22.B.; 123-27.; 123-29.A.2. & A.3.; 123-29.D.1.; 123-20.F. & 131-67.C.8.a.; and 123-20.F. & 131-67.C.8.f. **Mr. Briggs made a motion, seconded by Mr. Glynn, to grant the waiver requests for Articles 123-30.E.; 123-20.G.; 123-20.I.; 123-22.B.; 123-27.; 123-29.A.2. & A.3.; 123-29.D.1.; 123-20.F. & 131-67.C.8.a.; and 123-20.F. & 131-67.C.8.f. Motion unanimously carried.** Ms. Duane asked for public comment; there was none.

Mr. Drinkhall made a motion, seconded by Mr. Glynn, to conditionally approve the Full Site Plan for Thornton Investment Properties conditionally upon adding the supplemental plans to Sheet 2; adding the granted waivers to the plan; obtaining a NHDOT Driveway Permit; obtaining Conway Village Fire District water and sewer approval; submitting 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 December 11, 2003. Motion unanimously carried.

**JOSEPH E. SULLIVAN – SUBDIVISION/BOUNDARY LINE ADJUSTMENT
REVIEW (PID 235-76) FILE #S03-21**

Shawn Bergeron of Bergeron Technical Services appeared before the Board. This application is to add 0.57 of an acre to PID 235-77 (Yankee Clipper) from PID 235-76 (Captain Joe's Miniature Golf), at 1769 & 1801 White Mountain Highway, North Conway). **Mr. Robinson made a motion, seconded by Mr. Drinkhall, to accept the application of Joseph E. Sullivan for a Subdivision/Boundary Line Adjustment Review as complete. Motion unanimously carried.**

Ms. Duane asked for public comment; Ken Vance, Village of North Conway, stated that this is only changing the property line and not approving anything else. Ms. Duane answered in the affirmative. Mr. Vance stated if the applicant proposes something else for either lot they would have to come back to the Board. Ms. Duane agreed.

Adopted: September 25, 2003 – As Written
CONWAY PLANNING BOARD – SEPTEMBER 11, 2003

Mr. Irving stated that there is asphalt in the buffer on the South side of the new property line. Mr. Irving stated that the buffer is a site plan issue and would have to be waived under site plan review, which they have not applied. Mr. Irving stated that the buffer on both sides of the property line be vegetated. Mr. Bergeron stated that it is a matter of losing some usable space. Mr. Bergeron stated that it doesn't really matter if it stays or goes.

Mr. Robinson stated that it looks like it will be an issue accessing the maintenance garage if the pavement were to be removed. Mr. Bergeron stated that that would be a good reason to keep it. Mr. O'Brien asked if this area is used for parking. Mr. Bergeron stated that it is probably used for overflow parking. Mr. Irving stated that it is more of a technicality as the Board doesn't have legitimate authority to grant a waiver for site plans issue under a subdivision review. Mr. Bergeron stated that they would remove the ten feet of asphalt in the buffer on the southern property.

Ms. Duane read the waiver requests for Articles 131-24.E./131-24.O./131-24.N.; 131-24.W.; 131-24.E. & 131-26.C.; and 131-37.1.A. Mr. Briggs asked if each property has its own water and sewer hookup. Mr. Bergeron answered in the affirmative. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to approve the waiver requests for Articles 131-24.E./131-24.O./131-24.N.; 131-24.W.; 131-24.E. & 131-26.C.; and 131-37.1.A. Motion unanimously carried.**

Mr. Irving stated that the plans need to show the location of the driveway for the northern lot. Mr. Bergeron stated that the NHDOT will not issue a driveway permit for the northern lot and the owner of the Yankee Clipper lot would have to grant an access easement. Mr. Irving stated that the Town will need a copy of the easement. Ms. Duane stated that we're going to make them tear up pavement that will most likely be put back for a driveway. Ms. Duane stated that that doesn't seem to make sense. Mr. Irving suggested a condition that upon redevelopment of the northern parcel all asphalt be removed from the buffer of both lots that is not necessary. The Board agreed.

Mr. Glynn made a motion, seconded by Ms. Tobin, to conditionally approve the Subdivision Application for Joseph Sullivan conditionally upon the revocation of File #90-32-S; obtaining a NHDOT Driveway permit(s) for both parcels; submitting a copy of the access easement for PID 235-76 over PID 235-77; adding a note to the plan that states, "Upon the redevelopment of PID 235-76, save for that required for a driveway, all asphalt shall be removed from the buffers of both PID 235-76 and 77."; submitting 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 December 11, 2003. Motion unanimously carried.

Adopted: September 25, 2003 – As Written
CONWAY PLANNING BOARD – SEPTEMBER 11, 2003

**JOESPH E. SULLIVAN – PUBLIC HEARING - PURSUANT TO RSA 676:4-a, I(a)
(PID 235-76) FILE #90-32-S)**

Shawn Bergeron of Bergeron Technical Services appeared before the Board. The applicant has requested that the Site Plan (File #90-32-S approved March 21, 1991) for a miniature golf course be revoked at 1801 White Mountain Highway, North Conway.

Mr. Irving stated that the RSA allows the Board to revoke an approval if requested by the applicant. Mr. Irving stated that the abutters can call for a public hearing, but to expedite the process, the Town called for the public hearing. Mr. Briggs asked why bother to revoke it. Mr. Bergeron stated that the RSA stated since we have modified the lot we have to revoke the approval. Ms. Duane asked for public comment; there was none. **Mr. Briggs made a motion, seconded by Ms. Tobin, to revoke the Planning Board approval granted March 21, 1991 [File #90-32-S] for a miniature golf course. Motion unanimously carried.**

OTHER BUSINESS

John Durocher/Great American Ski Renting Company (PID 218-58) File #MR99-06: John Durocher appeared before the Board. Mr. Durocher stated that a grass strip required on the southern side of the property would prevent them from parking in that area. Mr. Durocher stated that he would like to leave that area gravel. Ms. Duane stated that she went by today and can understand the applicant's concern. Ms. Duane stated the planter out front on Route 16, if done correctly, it would be a nice addition to the Village.

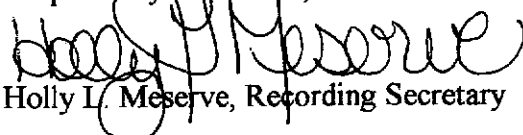
Mr. O'Brien made a motion, seconded by Ms. Tobin, that pursuant to Article 123-4.A.(5) to allow the greenspace on the south side of the building to be maintained as gravel and allow the handicap space to be moved behind the building to the south side of the lot be granted conditionally upon the planters around the front perimeter of the building (4' deep) be planted; the planter around the sign be planted; striping of the parking lot; and when conditions have been met, the bond money can be returned. Motion unanimously carried.

Nearledge – As Built Plan Signing (PID 201-10.001 & 10.002): Mr. Drinkhall made a motion, seconded by Mr. Glynn, to sign the as built plans for units 1 and 2 at Nearledge Condominium Development. Motion unanimously carried.

Old Mill Estates – As Built Plan Signing (PID 268-117.33): Mr. Glynn made a motion, seconded by Ms. Tobin, to sign the as built plans for Lot 3, Unit C in the Old Mill Estates Development. Motion unanimously carried.

Meeting adjourned at 8:17 p.m.

Respectfully Submitted,


Holly L. Meserve, Recording Secretary