

## CONWAY PLANNING BOARD

### MINUTES

JUNE 17, 1999

A meeting of the Conway Planning Board was held on Thursday, June 17, 1999, beginning at 7:08 a.m. at the Conway Town Office in Center Conway, NH. Those present were: Acting Chair, Sheila Duane; Selectmen's Representative, Gary Webster; Robert deFeyter; John Waterman; Stacy Sand; Town Planner, Dawn Emerson; and Recording Secretary, Holly Meserve.

#### REVIEW AND ACCEPTANCE OF MINUTES

The Minutes of May 6, 1999, should be amended as follows: page 2, paragraph 2, line 1, should read, "...applicant was supposed to have..."; page 2, paragraph 3, line 4, should read, "...some board members and asked if new members had sufficient information. Ms. Sand..."; page 5, paragraph 4, line 5, should read, "...he would provide a copy..."; page 6, paragraph 2, line 6, should read, "Mr. deFeyter suggested a cupola to give..." and page 10, paragraph 6, line 8, should be added, "...turned out. Mr. deFeyter stated that the lights should not be turned out toward the Highway Corridor District."

Ms. Sand made a motion, seconded by Mr. Webster, to approve the Minutes of May 6, 1999, as amended. Motion unanimously carried.

The Minutes of May 20, 1999, should be amended as follows: page 1, paragraph 4, line 1, should read, "...this only affects phase..."; page 2, paragraph 3, line 6, should read, "...deFeyter asked that if there..."; page 2, paragraph 5, line 3, should read, "...continue with any other part of the..."; page 2, paragraph 6, line 3, should read, "...don't say that then the..."; page 2, paragraph 6, line 6, should read, "...that the Town requires one access if there is only..."; page 3, paragraph 4, line 5, should be added, "...Railroad. Mr. deFeyter stated that the entire pathway should be lit or not lit at all. Mr. Berry agreed. Russ Seybold of the Conway..."; page 5, paragraph 2, line 3, should read and should be added to, "...and Article 131-8 on need to be revised and brought up to date. Mr. deFeyter asked for the status of the definitions for lighting, spires and the Master Plan."; and page 5, paragraph 3, line 6, should read, "...Mr. deFeyter stated that he was not on the Committee. Mr. deFeyter stated that it is Ms. Emerson's job description to update...".

Mr. deFeyter made a motion, seconded by Ms. Sand, to approve the Minutes of May 20, 1999, as amended. Motion unanimously carried.

The Minutes of June 3, 1999, should be amended as follows: page 4, paragraph 2, line 2, should read, "...but there is an issue that needs to be..."; page 4, paragraph 3, line 6, should read, "...that is allowable."; page 5, paragraph 2, line 6, should read, "...affirmative. Waiver motion unanimously defeated. Mr. Allen..."; page 6, paragraph 3, line 5, should read, "...room must be

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going to be..."; page 6, paragraph 1, line 9, should be added, "...width. Mr. deFeyter agreed with how the 3:1 was determined and complimented Mr. Allen for putting it on the plans." Ms. Sand made a motion, seconded by Mr. deFeyter, to approve the Minutes of June 3, 1999, as amended. Motion unanimously carried

**NORTHERN WOODS REALTY TRUST - MINOR SITE PLAN REVIEW CONTINUED  
(MAP 12, PARCEL 62) FILE #MR99-04**

Ms. Emerson stated that the applicant has requested a continuance, and she read the staff notes. Ms. Sand stated that in the letter from Carl Lusky, an abutter, it mentions that a setback would have to be modified. Ms. Emerson answered in the affirmative. Mr. deFeyter stated that he reviewed the old minutes and the eastern driveway was not going to be used for cars. Ms. Emerson stated that it wasn't going to be used for trucks. Mr. deFeyter asked if the applicant is going to close off one driveway. Ms. Emerson stated that the Board would have to ask the applicant, but she does not think the applicant intends to close one of the driveways. Mr. deFeyter stated that the Board should ask if the applicant is going to close the western access to Robinwood Road.

Mr. deFeyter stated that he also noticed that there was no discussion on curbing and there is no curbing on site. Mr. deFeyter stated that the applicant may think that when they were approved for a gravel parking lot that curbing was waived as well. Mr. deFeyter asked if there were any lighting changes, especially with the relocation of the handicap ramp.

Ms. Sand asked if the Board should read staff's response to the abutter's letter into the record. The Board agreed that the letter would be attached to the Minutes. Mr. deFeyter asked the time restraints for this application. Ms. Emerson stated that it would be under the sixty-five (65) days. Ms. Sand made a motion, seconded by Mr. deFeyter, to continue the Minor Site Plan Review for Northern Woods Property Management until July 1, 1999. Motion unanimously carried.

**ZODIAC, INC. - CONCURRENT FULL SITE PLAN AND SUBDIVISION REVIEW  
CONTINUED (MAP 15, PARCEL 21) FILE #FR99-06 AND S99-08**

Mark Lucy of White Mountain Survey; and Roger Williams, Settler's Green, appeared before the Board. Mr. Lucy asked Ms. Duane if there was a quorum. Ms. Duane answered in the affirmative. Ms. Emerson stated that she did arrange to have legal counsel present, but Peter Malia is not here at the moment. Ms. Duane stated that the applicant was going to have additional information for the Board.

Mr. Lucy stated that this is the "Barnaby's" property which consists of 23 acres. Mr. Lucy stated that there are two (2) zoning districts. Mr. Lucy stated that all of the building, parking, and landscaping is within the commercial district. Mr. Lucy stated that this site allows for commercial delivery on the commercial district boundary. Mr. Lucy stated that the delivery entrance is across from MacMillan Lane which is commercial. Mr. Lucy stated that this allows for deliveries and employee parking.

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Mr. Lucy stated that there are some uses necessary and reasonable which are accessory, such as drainage, propane tanks and an access drive. Mr. Lucy stated that evidently there is some debate whether the activity on the residential side can be allowed. Mr. Lucy stated that the application is complete. Mr. Lucy stated that there is a distinct difference in access for patrons and access for deliveries. Mr. Lucy stated that this allows for the storm drainage on both sides. Mr. Lucy stated that water and sewage are located on the commercial side. Mr. Lucy stated that Barnes Road is an existing road and a town road from Route 16 to MacMillan Way. Mr. Lucy stated that from MacMillan Way to the east is a private road in the residential/agricultural district.

Mr. Lucy stated that the applicant does not believe this to be a zoning issue. Mr. Lucy stated that this is a good layout and fits in with the character of the neighborhood. Mr. Lucy asked that the Board accept this as a complete application. Ms. Duane asked if by accepting this application the Board would be saying that the use in the commercial district is a non-commercial use. Mr. Lucy asked if she was referring to the residential district. Ms. Duane answered in the affirmative. Mr. Lucy stated that the back access would be used for deliveries.

Mr. deFeyter asked if there will only be UPS trucks delivering to the site. Mr. Lucy answered in the negative and stated that there will be semi-trucks and propane trucks that deliver to the back of the building. Mr. deFeyter asked if only residential type vehicles will be accessing the front of the property and delivery trucks will be accessing the back of the property. Mr. Lucy stated that patron vehicles will be accessing the front of the property. Mr. deFeyter asked if only commercial trucks will be accessing the back of the property and asked if this was a site plan and subdivision application. Mr. Lucy answered in the affirmative. Mr. deFeyter stated that if the applicant divided the property down the district line there would not be a problem. Mr. Lucy stated that he would agree with that, but he also agrees that there is nothing wrong with what the applicant is proposing.

Mr. deFeyter stated that the activity in the residential district is attached to an activity that is taking place in the commercial district. Ms. Sand asked if the proposed retail building could be reduced in size and still accommodate the tenant in order to have everything in the commercial district. Mr. Lucy stated that it could, but Barnaby's could remain and operate as it is now. Ms. Sand asked if reducing the building would allow the applicant to do what they want to do. Mr. Lucy answered in the negative. Mr. Waterman stated that Town Counsel should be consulted for a legal opinion.

Mr. Webster stated that he does not want to set a precedent and the issue should be reviewed so it does not come back and haunt the Board. Mr. deFeyter asked if the residential structures to the east of Barnaby's will be removed. Mr. Lucy answered in the affirmative. Mr. deFeyter asked what will happen with the remaining acreage. Mr. Lucy stated that there are no plans at this time. Mr. deFeyter asked if the remaining land is in the residential district. Mr. Lucy answered in the affirmative.

Ms. Sand asked what is the purpose of the location of the proposed lot line. Mr. Lucy stated that the town ordinance only allows one driveway per lot per a street on a Town road; and by putting the lot line further up the applicant does not have to request a waiver. Mr. deFeyter stated that

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the Board should have comment from Town Counsel. Ms. Duane stated that the Board is asking Town Counsel if the part of the project that falls into the residential district is allowable or if there is a zoning issue. Mr. deFeyter stated that it was a question of whether the Board can proceed with the review or is it a zoning issue.

Ms. Emerson stated that staff has accepted the application for notification purposes only. Ms. Emerson stated that there is a clear zoning issue, and it was forwarded to the Board because this was not a decision she could make. Ms. Emerson stated that this situation needed to be reviewed and addressed by the whole Board. Ms. Emerson stated that she did consult with Town Counsel and he did not think it was wise for the Board to continue with this application. Ms. Emerson stated that, unfortunately, Peter Malia is not here, but was scheduled to be here. Ms. Duane stated that the Board should have consulted with legal counsel and apologized to the applicant for Town Counsel not being present. Ms. Duane stated that the application should be continued until the next meeting when the Board will have an answer.

Mr. deFeyter asked Mr. Lucy if he wanted the Board to deny the application and send this to the Zoning Board of Adjustment to start the process, or wait for Town Counsel's response. Mr. Lucy stated that he would prefer the board to vote to either accept the application as complete or incomplete due to the zoning issue and continue. Ms. Sand asked if the Board votes that the application is not complete then the applicant would have to renote the meeting. Ms. Emerson answered in the affirmative. Mr. deFeyter stated that the Board can deny with or without prejudice meaning with prejudice the applicant could not submit the same application and without prejudice the applicant could submit the same application. Mr. Lucy agreed.

Mr. deFeyter stated that he is concerned with putting this application to a vote this evening as the Board would probably not want to continue without legal interpretation. Mr. Lucy stated that after twenty-nine (29) days he would think the Board would have had an opinion from their legal counsel. Mr. Lucy stated that he know the Board's legal counsel's feelings and that concerns him.

Ms. Emerson stated that the acceptance of the application needs to be denied based on the zoning issue in the residential/agricultural district. Mr. Lucy provided a letter from Randy Cooper to Peter Hastings dated June 8, 1999, that has some wording on how it should be denied. Ms. Emerson stated that staff is not aware of this letter and she has not seen it. Mr. Lucy read the motion from the letter, "...Move to no accept having found that the proposed use and proposed location of the service driveway and service areas within the residential zone are prohibited by the zoning ordinance...". Mr. deFeyter stated that the Board does not know if this wording is acceptable to Town Counsel.

Ms. Emerson stated that if Town Counsel was present this evening, he was going to aid the Board with that wording. Ms. Emerson stated that the wording may be acceptable to Town Counsel, but she does not know. Mr. Lucy stated that he is concerned that the Board is not aware of this. Ms. Duane stated that the Board thought we would have legal response since it was discussed previously. Mr. Lucy stated that it is a little unusual. Ms. Duane stated that it was scheduled.

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Ms. Sand made a motion, seconded by Mr. Webster, to not accept the application for Zodiac, Inc./The Rock Development, LLC based on the proposed use in the residential zone of the property may not be conforming to the zoning ordinance. Mr. deFeyter stated that he is not at all against the concept so that they could move on, but he is concerned doing this with advice from the applicant's attorney and not from Town Counsel. Ms. Sand stated that the Board does not know if this is an allowable use.

Mr. deFeyter stated that what the Board does this evening becomes the issue that the Zoning Board of Adjustment will rule on. Mr. deFeyter stated that the way the motion is worded is critical and the Board should have advice from Town Counsel. Ms. Duane stated that prior to Mr. Lucy providing that letter, Mr. deFeyter was in agreement that this does have to go to the Zoning Board of Adjustment. Mr. deFeyter stated that he would like to see this go to the Zoning Board of Adjustment. Mr. deFeyter stated that the wording is critical and Town Counsel should review and provide the wording. Ms. Sand stated that she did not make her motion specific. Ms. Duane stated that it is broad wording. Mr. deFeyter stated that the Board should have input from Town Counsel and the application should be continued.

Ms. Sand stated that the motion is broad enough, it is asking if this is allowable or not. Mr. Webster stated that staff notes do say that Town Counsel would be need for wording in order for this to go to the Zoning Board of Adjustment. Mr. deFeyter stated that now what we need to do is have Town Counsel give us the language. Ms. Emerson stated that in order to do that we will need to continue this application until the next meeting. Ms. Emerson stated that whatever the Board denies this application on is the only issue the applicant can take to the ZBA. Ms. Sand stated that the Board is asking if this is an acceptable use in the residential district.

Mr. deFeyter agreed, but stated that it would be better if there was language provided by Town Counsel. **Motion was defeated with Ms. Duane, Mr. Webster, and Mr. deFeyter voting in the negative.** Mr. deFeyter made a motion, seconded by Ms. Sand, to continue the Concurrent and Full Site Plan Review for Zodiac, Inc. until July 1, 1999, to have Town Counsel present or a written proposal available. Motion unanimously carried.

**ROMAN CATHOLIC BISHOP OF MANCHESTER/GIBSON CENTER - FULL SITE PLAN REVIEW CONTINUED (MAP 68, PARCEL 14) FILE #FR99-07**

Edgar Allen of Thaddeus Thorne Surveys; and Ken Kaslow of the Gibson Center, appeared before the Board. Ms. Emerson stated that the application was accepted at the last meeting and there were a few outstanding items. Ms. Emerson stated that the square footage of the office space is 1,748 square feet. Ms. Emerson stated that the applicant does meet the parking requirements. Ms. Emerson stated that the Board had concern with the parking lot design and layout and the deliveries to the site. Ms. Emerson stated that Mr. Kaslow is present this evening to try to come to a solution.

Ms. Emerson stated that the storm drainage has not been approved and read a memorandum from Paul DegliAngeli, Town Engineer. Mr. Allen stated that the applicant will be providing additional information. Ms. Emerson stated that the materials are not noted on the architectural

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drawings. Ms. Emerson stated that the applicant has gathered granite curbing to the plan since the waiver was denied.

Ms. Sand stated that the applicant has requested a waiver for the scale. Ms. Duane read the waiver request for Article 123-7.B(2). Ms. Duane read the requirements to grant a waiver under Article 147-47. Ms. Duane asked for public comment on the waiver; there was none. Ms. Sand made a motion, seconded by Mr. deFeyter, to approve the waiver request for Article 147-7.B(2). Motion unanimously carried.

Ms. Duane stated that the applicant has provided letters from vendors, Oakhurst Dairy and North Center Food, in regard to their delivery times. Mr. deFeyter stated that Mr. Waterman raised questions at the last meeting in regard to deliveries. Mr. Waterman stated that he worked in the Gibson Center building for three (3) years, he hasn't been their for eleven (11) months, but he has observed deliveries beyond the hours mentioned in the letters. Mr. Waterman stated that the Gibson Center does a lot of good for the area, but he does have some reservations. Mr. Waterman stated that deliveries were not made in the hours stated, but after 10:30 a.m. up until 1:00 p.m. Mr. Waterman stated that he also sees an increase in use and the application should be looked at with some reservations.

Ms. Sand asked Mr. Allen if he received an answer to why the applicant wanted to close the vehicular access to the municipal parking lot to a pedestrian access. Mr. Allen stated that the biggest issue is safety and the other is liability. Mr. Allen stated that it is used as a cut-through. Ms. Sand asked if there is a history of injuries in the past. Mr. Allen answered he did not know. Ms. Sand asked about the addition of speed bumps. Mr. Kaslow stated that there is presently a speed bump there. Mr. deFeyter stated that Mr. Waterman has raised a good point when he foresees more activity. Mr. deFeyter stated that with more people coming in there may not be enough parking and have to use the municipal parking lot.

Mr. deFeyter stated that commercial trucks can now pull in and leave through the municipal parking lot and by closing it off they will have to back into the property. Mr. deFeyter stated that it makes more sense keeping it open for traffic flow. Mr. Kaslow stated that it is a safety issue as a lot of people use it as a cut through. Ms. Sand stated that by closing off the access to the municipal parking lot the applicant is creating another safety issue by having the larger trucks turning in a smaller area.

Mr. Kaslow stated that most delivery trucks turn into Grove Street and back into the parking lot. Mr. deFeyter suggested redesigning the parking lot to try and slow traffic down, but keep the access open. Mr. Allen stated that it will not slow them up any. Ms. Duane stated that the applicant is making a point, but it is creating a second safety issue. Mr. deFeyter stated that the Board has to look at it from how it impacts the Town. Mr. Waterman asked if the applicant could see someone pulling into the Gibson Center parking lot finding it full and having to turn back out onto Main Street and into the municipal parking lot.

Mr. Kaslow stated that you are more likely to find a parking place at the Gibson Center than in the municipal parking lot. Mr. Waterman asked even with the increase in the number of elderly.

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Mr. Kaslow stated that with the increase in the number of elderly comes the increase in the number of home deliveries. Mr. Webster asked if the Police Department should review the access for safety. Mr. deFeyter agreed and stated that the applicant should also see if they can modify the parking lot to cut the speed down. Mr. deFeyter stated that the Board needs more input as this is a serious issue.

Ms. Sand asked if the two (2) vendors who submitted letters were the only vendors who access the site. Mr. Kaslow stated that they make 94% of the deliveries. Ms. Sand asked who are the other vendors. Mr. Kaslow answered North Country Wholesale. Ms. Sand asked what type of vehicle they use. Mr. Kaslow answered small trucks and stated that North Center is the largest truck that accesses the site. Ms. Duane stated that it is still a large truck to turn around.

Ms. Sand stated that if the vendors deliver early it should be okay, however, she is concerned with patron parking. Ms. Sand stated that the applicant meets the requirement, but it includes the municipal parking. Ms. Sand stated that one of the items the Board is suppose to be looking at is connecting drives to other properties. Ms. Sand stated that she understands the applicants concern with this being a through way, but with some more speed bumps, the vehicles will slow down. Ms. Duane stated that she would like to see the applicant come back with an alternate parking lot design while keeping the municipal entrance. Ms. Duane stated that the Police Department should also review this application.

Mr. deFeyter stated that Mr. DegliAngeli should also review the application. Mr. Webster suggested possibly gating the access to the municipal parking lot. Mr. deFeyter stated that he would be concerned with someone forgetting it was there or that it was closed. Ms. Sand stated that she doesn't see a problem with cutting through, but she is concerned with the pedestrians. Ms. Duane asked who is in favor of keeping the access to the municipal parking lot. Ms. Sand stated as long as safety issues are incorporated. Mr. deFeyter stated that he would like to look at the other alternatives, but it is desirable to keep it there. Mr. Waterman stated that it is the applicants final decision, but he would like to see the access remain open. Ms. Duane stated that she would like to see the access remain open. Mr. Webster stated that it is common ground to meet the safety issues.

Mr. deFeyter stated that the Board can be flexible; there is a concern and we should be able to make it work for everyone. Ms. Duane stated that keeping the access open will help with deliveries by preventing them from backing up into Grove Street. Mr. deFeyter stated that lighting was not identified on the plans. After a brief discussion, it was determined that lighting was not on the plans and would need to be added.

Ms. Sand asked if Mr. Allen consulted the user of the property in regard to the location of the street trees. Mr. Allen stated that the trees were moved forward a bit. Ms. Duane asked if there were any problems with the pedestrian access; there was none. Ms. Duane asked if there were any other questions; there was none. Ms. Duane asked if there was any public comment; there was none. Mr. deFeyter made a motion, seconded by Mr. Webster, to continue the Full Site Plan Review for the Roman Catholic Bishop of Manchester until July 1, 1999. Motion unanimously carried.

JOHN DUROCHER/GREAT AMERICAN SKI COMPANY - MINOR SITE PLAN  
REVIEW (MAP 69, PARCEL 32) FILE #MR99-06

Dave McDermott, applicant, appeared before the Board. Mr. deFeyter stated that it doesn't seem like the plans go with what is there. Mr. deFeyter stated that there appears to be two access' and parking in the back. Mr. McDermott stated that the parking lot behind him belongs to Steve Hoffman. Ms. Emerson stated that it is a small site, and between the gas station and the building is a right-of-way to the back lot. Ms. Sand asked the purpose of the addition. Mr. McDermott stated that his business rents and tunes skis in the basement. Mr. McDermott stated that the basement floods and has limited head room. Mr. McDermott stated that the addition would be for ski tuning.

Ms. Sand made a motion, seconded by Mr. Webster, to accept the application of John Durocher/Great American Ski Company for a Minor Site Plan Review. Motion unanimously carried. Ms. Duane asked if there were any questions regarding the driveway and vehicular access. Ms. Sand asked if a State driveway permit is required. Ms. Emerson stated that the applicant is not expanding the intensity of the use, therefore, a State driveway permit is not required. Ms. Sand asked about curbing. Ms. Emerson stated that it exists. Mr. deFeyter stated that the applicant is increasing the intensity.

Ms. Emerson asked if there were any plans for the basement. Mr. McDermott answered storage. Mr. deFeyter asked if it was residential upstairs. Mr. McDermott answered in the affirmative. Mr. deFeyter stated that he would assume this was a more intense use. Ms. Duane stated that the applicant is already using the building for tuning, he is just moving the location. Mr. deFeyter stated that there is no guarantee that the basement space will not be used again. Ms. Emerson stated that if the Board sees this as more intense than a driveway permit would be necessary. Mr. deFeyter stated that the basement can be used again and they are adding additional space.

Ms. Duane asked who sees this as a more intense use; Mr. Waterman and Mr. deFeyter. Ms. Duane asked who sees this as a less intense use; Ms. Sand and Ms. Duane. Mr. Webster abstained, therefore, the applicant is required to submit a driveway permit application to the State. Mr. Webster stated that he sees it both ways and the basement could be used again. Ms. Sand stated that the intensity is the same. Mr. Webster asked if the proposed additions square footage is greater than what the applicant is using now. Mr. McDermott answered that he thinks it is. Ms. Emerson stated that the applicant needs to apply for a driveway permit. Mr. deFeyter stated that it will clean this site up with the State.

Ms. Duane asked if there were any concerns with parking. Mr. deFeyter asked what is required for parking spaces. Ms. Emerson answered eleven (11) parking spaces are required. Ms. Emerson asked if the applicant consider leasing space in the back parking lot. Mr. McDermott answered that he could ask. Ms. Emerson stated that she would review the back parking lot and see if there were any spaces that could be leased. Mr. deFeyter asked how the parking spaces would be delineated. Ms. Duane stated that the applicant would delineate the parking spaces.

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Ms. Emerson stated that she went out and measured the site and depending on how the applicant configured the parking he may end up with more or less parking spaces.

Mr. deFeyter stated that maybe the Board could make an agreement for greenspace and maybe use the right-of-way. Mr. McDermott stated that the right-of-way is narrow. Mr. deFeyter stated that the Board needs to review parking spaces. Ms. Sand stated that the applicant needs a handicap space. Mr. McDermott stated that there is a handicap space identified on the plans. Ms. Emerson stated that the applicant would either need to request a waiver for the number of parking spaces or have an agreement with the abutter. Steve Hoffman, abutter, stated that he would like to see painted lines for the parking spaces so people know where to park because they have a tendency to block the right-of-way to his property. Ms. Duane asked about a loading area. Mr. McDermott stated that there is not a loading dock as everything comes through the front door. Ms. Duane asked about snow removal. Ms. Sand stated that snow areas need to be delineated on the plans or a note added to the plans regarding snow removal.

Ms. Duane asked if there were any questions regarding pedestrian access; there was none. Ms. Duane asked if there were any questions regarding lighting. Mr. deFeyter asked if there were any changes in the lighting. Mr. McDermott answered in the negative. Ms. Duane asked if there were any questions regarding drainage and stated that the applicant has submitted a waiver. Ms. Duane read a waiver request for Article 123-28 and read the requirements to grant a waiver. Mr. deFeyter stated that since the plans need to be modified, should the Board wait to vote on the waiver request. Ms. Sand stated that there is no additional impervious areas.

Ms. Sand made a motion, seconded by Mr. Webster, to approve the waiver request for Article 123-28 since there is no additional impervious surface on the site. Motion unanimously carried. Ms. Duane asked if there were any questions regarding utilities; there was none. Ms. Duane asked if there were any questions regarding greenspace. Mr. deFeyter stated that the Board needed to go back to greenspace after reviewing the parking. Ms. Sand stated that one (1) street tree is necessary and needs to be located on the plans or a waiver requested.

Ms. Duane asked if there were any questions regarding the architectural design. Mr. deFeyter asked if the proposed addition will match the existing building. Mr. McDermott answered in the affirmative. Mr. deFeyter asked if the proposed addition had any windows. Mr. McDermott answered in the negative. Ms. Sand stated that the proposed addition does to face a street. Mr. deFeyter stated that the addition faces a parking area and one window should face Route 16. Mr. McDermott agreed. Mr. deFeyter stated that the pitch roof needs to be 3:12 pitch. Mr. deFeyter asked if the proposed addition will have vinyl siding. Mr. McDermott answered in the affirmative. Mr. deFeyter stated that the type of material should be added to the plan.

Ms. Duane stated that waste storage will be internal. Ms. Duane asked if there was any historic value to the existing building; there is none. Ms. Duane stated that the site is serviced by municipal water and sewer. Ms. Emerson stated that the applicant has received a letter of approval from Gary Chandler, North Conway Water Precinct. Mr. Webster stated that the applicant is providing a handicap parking place, but is there a handicap ramp. Mr. McDermott

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stated that he hasn't had anyone in a wheelchair in the five (5) years he has been there. Ms. Emerson stated that she will check the requirement. Mr. McDermott stated that the new addition will be at ground level and wide enough for a wheelchair if necessary. Ms. Sand stated that they need a drop off area. Mr. McDermott stated that the parking lot is out back.

Ms. Duane stated that the site is not in the floodplain. Ms. Duane stated that there was no site construction standards. Ms. Duane stated that this is not a nuisance. Ms. Duane asked about health and safety. Ms. Emerson stated that the applicant is waiting for Wayne Derouin's, North Conway Fire Department Chief, approval. Ms. Duane asked about temporary display of outdoor goods. Mr. Waterman stated that there are canoes displayed outside. Mr. McDermott stated that the site is rented to Saco Bound in the summer. Ms. Emerson stated that the canoes will need to be addressed. Mr. deFeyter stated that the applicant can designate an area for display, but cannot use area for parking.

Ms. Duane stated that the plat notes are not applicable. Ms. Emerson stated that the snow storage note needs to be added to the plans. Mr. deFeyter stated that the sign is non-conforming and the Board has a policy to bring signs into conformity. Ms. Sand asked how the sign is non-conforming. Mr. deFeyter answered size. Ms. Emerson stated that it is in the setback. Ms. Duane stated that the sign is grandfathered. Ms. Emerson agreed and stated that height is also an aspect of nonconformity. Ms. Emerson stated that the applicant could lower the sign. Mr. deFeyter stated that the sign should be reviewed. Ms. Duane asked if there was any greenspace under the sign. Mr. McDermott answered in the negative.

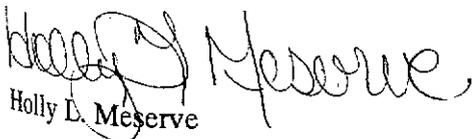
Ms. Duane asked for public comments; Mr. Hoffman stated that he is concerned with parking and would like to see lines drawn out. Mr. Hoffman asked about the parking agreement. Ms. Emerson stated that she will need to review that. Joe Berry stated that he is glad there is an interest in some type of greenery on that site. Ms. Sand made a motion, seconded by Mr. Webster, to continue the Minor Site Plan Review for John Duroucher/Great American Ski until July 15, 1999. Motion unanimously carried.

**OTHER BUSINESS**

Eastern Slope Inn Associates (Map 69, Parcel 15) File #FR98-12 - Extension of Conditional Approval: Ms. Emerson stated that the applicant, Joe Berry, has submitted a request to extend the conditional approval for Eastern Slope Inn. Mr. deFeyter made a motion, seconded by Ms. Sand, to extend the conditional approval for Eastern Slope Inn, File #FR98-12 until August 5, 1999. Motion unanimously carried.

Meeting adjourned at 10:30 p.m.

Respectfully Submitted,

  
Holly L. Meserve