

CONWAY PLANNING BOARD

MINUTES

JULY 15, 1999

A meeting of the Conway Planning Board was held on Thursday, July 15, 1999, beginning at 7:02 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Catherine Woodall; Selectmen's Representative, Gary Webster; Vice Chair, Sheila Duane; Arthur Bergmann; John Waterman; Robert deFeyter; Stacy Sand; Town Planner, Dawn Emerson; and Recording Secretary, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

The Minutes of June 17, 1999, should be amended as follows: page 3, paragraph 6, line 1, should read, "Ms. Sand asked what is the..."; page 4, paragraph 3, line 4, should read, "...that he knows the Board's..."; page 4, paragraph 4, line 5, should read, "...to not accept having..."; page 4, paragraph 5, line 4, should read, "...we would have a legal response..."; page 5, paragraph 2, line 2, should read, "...would be needed for..."; page 8, paragraph 4, line 8, should read, "...clean up this issue with..."; page 8, paragraph 5, line 3, should read, "...asked if the applicant would consider leasing..."; page 9, paragraph 4, line 4, should read, "...addition does not face a street..."; and page 9, paragraph 4, line 5, should read, "...one window does face Route...".

Mr. Bergmann made a motion, seconded by Mr. deFeyter, to approve the Minutes of June 17, 1999 as amended. Motion unanimously carried.

Ms. Sand made a motion, seconded by Mr. Webster, to continue the Minutes of July 1, 1999; and July 8, 1999 until August 5, 1999. Motion unanimously carried.

**JOHN DUROCHER/GREAT AMERICAN SKI - MINOR SITE PLAN REVIEW CONTINUED  
(MAP 70, PARCEL 32) FILE #MR99-06**

Dave McDermott, applicant, appeared before the Board. Ms. Woodall stated that the application was accepted at the last meeting. Ms. Emerson stated that she had asked the applicant to provide a sketch of the parking which the new plan reflects. Ms. Emerson stated that there is a residential unit upstairs. Ms. Emerson stated that seven (7) parking spaces are required and the applicant can provide five (5) parking spaces. Ms. Emerson stated that the applicant is asking for a waiver request for two (2) parking spaces. Ms. Emerson stated that the applicant is providing a handicap parking space, but there is no real access to that space and staff does not recommended the location of the handicap parking space.

Ms. Sand asked if there was an agreement with Stephen Hoffman. Mr. McDermott answered in the affirmative, but stated that there is nothing in writing at this time. Mr. McDermott stated that Dr. Hoffman does not know what he has allocated to others. Mr. deFeyter asked if he plans on leasing the parking spaces. Mr. McDermott answered in the affirmative. Mr. deFeyter asked for how long. Mr. McDermott stated that there was no mention of a time frame. Mr. deFeyter stated that the lease should be forever. Mr. Bergmann stated that it should be in effect for as long as the building is there. Mr. deFeyter stated that it may be easier to obtain an easement. Mr. McDermott stated that Mr. Hoffman will not allow an easement. Mr. McDermott stated that Mr. Hoffman is currently leasing space to a law office so that they will comply. Ms. Woodall stated that she did not know that.

Mr. Bergmann asked why the location for the handicap parking space. Mr. McDermott stated that that is the door that is large enough for a wheelchair. Mr. Bergmann asked how do you get there. Mr. McDermott answered through the right-of-way. Mr. Bergmann stated that the building is within inches of the setback. Mr. McDermott stated that it is about a foot and a half. Mr. Waterman asked if the applicant has considered any greenspace. Mr. McDermott stated that it is really not feasible and suggested maybe

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some shrubs in front of the addition. Mr. McDermott stated that it is all asphalt now and it is hard to landscape without interfering with the parking.

Mr. deFeyter stated that one of the Board's concerns and has asked the applicant to address is greenspace. Mr. deFeyter stated that the Board did not expect the applicant to meet the requirement, but the applicant needed to add some. Mr. deFeyter stated that he is concerned with parking as it is right up to the door. Mr. McDermott stated that that is the way people park. Mr. deFeyter stated that he would like to see the parking pushed back, a space eliminated and some greenspace added. Mr. deFeyter stated that he spoke to the Fire Chief who hasn't seen anything on the project, and he is okay with it as long as there is some room around the building. Ms. Duane stated that the Board needs a response from the Fire Chief in writing.

Mr. deFeyter asked if the applicant can do anything about the sign. Mr. McDermott stated that he cannot do anything about the sign. Mr. Bergmann stated that there are canoes being displayed by the sign. Mr. McDermott stated that they can be there as long as you can get in there. Mr. McDermott stated that reading the regulations there does not seem to be a problem with that. Ms. Emerson stated that the items on the staff notes are the ones that have not been resolved.

Mr. Bergmann asked what is between the right-of-way and the parking. Mr. McDermott answered nothing. Mr. Bergmann stated that you should be able to access the handicap parking space from your own property. Ms. Woodall stated that the applicant would need an easement over the right-of-way. Mr. McDermott stated that Dr. Hoffman does not want anything deeded into his land. Mr. Bergmann stated that if Mr. Hoffman sells the property the new owner doesn't have to allow the applicant the use of the right-of-way. Ms. Sand stated that as an alternative, since it is all asphalt, is there any way to angle the parking into the setback. Mr. McDermott stated that the way it is laid out on the plan is really the best way. Ms. Sand asked if there is a way to prevent parking on the side of the building. Mr. McDermott stated that he puts out no parking signs, but he cannot do much about people parking illegally.

Mr. deFeyter stated that he is concerned with this as the Board has asked the applicant to do some things and they have not been done. Mr. deFeyter stated that it really needs to go back to the drawing board. Ms. Emerson asked if Mr. deFeyter thinks the application needs to be continued. Mr. deFeyter answered in the affirmative. Ms. Woodall stated that it is a tough situation. Ms. Duane asked if the Board can review the rest of the staff notes so the applicant knows exactly what is needed. Mr. deFeyter agreed. Ms. Duane stated that it is a tiny lot in the village and it is hard to make it come into full compliance. Mr. deFeyter stated that he recognizes that the site is not going to be brought into full compliance. Mr. deFeyter stated that he understands that the applicant is not going to have all the parking spaces that are required, but it does need some greenspace.

Mr. deFeyter passed a picture of the Colonial Motel sign around to show how you can gain some greenspace. Ms. Woodall asked how many parking spaces are usually full. Mr. McDermott stated that they have a morning rush and an evening rush. Mr. McDermott stated that four (4) cars are probably the average and six (6) cars are as many people inside that they can handle. Mr. McDermott stated that it is hard to tell because it is so sporadic. Mr. Bergmann asked how many employees he has. Mr. McDermott answered four (4). Ms. Duane stated that the employees park in Dr. Hoffman's lot. Mr. McDermott agreed. Ms. Woodall asked if there is any way to reconfigure the addition. Mr. McDermott asked how. Ms. Woodall stated that she is not sure.

Ms. Woodall asked if the applicant has applied for a State driveway permit. Mr. McDermott stated that he has the application and it needs to be signed by the owner of the property. Ms. Woodall asked how wide is the driveway. Ms. Emerson answered twenty-three (23) feet. Mr. deFeyter stated that the applicant needs to find another way to deal with a tight situation. Ms. Woodall stated that snow removal will depend on the building location; the applicant needs to add landscaping, flower boxes; and the applicant has asked for a waiver for a street tree. Mr. McDermott stated that there is no place for a street tree. Ms. Duane stated that there are trees between this building and Sid's Convenience Store. Mr. McDermott agreed and stated that they are on Sid's property.

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Ms. Woodall asked about the architectural design. Mr. deFeyter stated that the roof pitch does not meet the Town's standards, but the Board should review the overall building. Mr. Waterman stated that the proposed roof line ties in with the rest of the building. Mr. Bergmann stated that the proposed roof should not be steeper than the existing roof. Ms. Emerson asked if the Board wanted to act on the waiver request. Ms. Woodall stated that she would prefer to wait to see if the building is moved. Ms. Woodall asked about the wheelchair access. Mr. Bergmann stated that he has a problem with not being able to get to the handicap parking space.

Mr. McDermott stated that due to the nature of the business, he has never had anyone come in with a wheelchair. Mr. Waterman stated that his wife is handicap and in a wheelchair and he does not see a problem with this. Mr. deFeyter stated that it could change to another business. Mr. deFeyter stated that the applicant could add to the sign that there is handicap parking in the back. Mr. Bergmann stated that being in a wheelchair is not the only way to be handicap. Ms. Emerson stated that the applicant would need an agreement to access the handicap parking space through the right-of-way.

Ms. Woodall asked if the display of goods was temporary and seasonal. Mr. McDermott stated that he does not know and is not involved with the summer business. Mr. McDermott stated that as he indicated earlier that if it doesn't interfere with the parking then it could remain. Ms. Sand stated that it probably could remain, but it needs to be marked on the plans. Mr. McDermott stated that he will find out what they need. Mr. Bergmann stated that we do need the Fire Chief's response. Ms. Emerson stated that the applicant has submitted a plan to him and we are waiting for his response. Ms. Woodall asked for public comment; there was none.

Ms. Emerson stated that the Board would like the applicant to add greenspace; consider changing the sign; obtain a State driveway permit; obtain Fire Chief approval; and either obtain an easement for the back parking lot or look into alternative parking. Mr. Bergmann made a motion, seconded by Ms. Sand, to continue the application for John Durocher/Great American Ski until August 5, 1999. Motion unanimously carried.

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

Al Landano and Ken Tremblay, applicants, appeared before the Board. Ms. Emerson stated that the applicants have made changes to the eastern access and they did submit new plans today with some items missing. Mr. Landano gave the Board new plans at this time. Mr. Landano stated that they have moved the eastern driveway over to meet the WB50 template and added the setback. Ms. Emerson stated that she has measured both accesses and modifications were made to meet the template. Ms. Emerson stated that the western access meets the template for vehicles exiting, but not entering. Ms. Emerson stated that the applicants are proposing the western access for exiting only.

Ms. Woodall stated that she thought there was a problem with ice. Mr. Landano stated that in the winter they would prefer to use the easterly drive. Mr. deFeyter asked why we cannot make it simpler and close the driveway to Robinwood Road. Mr. Landano stated that they have spent a lot of money and they didn't want to use the road in the first place, but the Board did want us to use Robinwood Road. Mr. Landano stated that they now want to continue to use Robinwood Road with the amount of money they have spent on it. Mr. deFeyter stated that they would have to fix the easterly drive. Mr. Landano stated that they have to do some changes, but they have a lot of money into Robinwood Road and it was suggested by this Board to use that road. Ms. Emerson stated that it was the original Board that made the applicant utilize Robinwood Road. Mr. Landano stated that they were not even going to use that road.

Ms. Duane asked if you can exit properly from Robinwood Road without moving the pole. Mr. Tremblay stated that you can exit in both directions and enter from one direction. Ms. Duane stated that it is somewhat workable. Mr. Landano stated that it only allows for entering right hand. Ms. Duane asked who owns Robinwood Road. Mr. Landano answered that they do. Ms. Sand stated that the plans should be

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reviewed by staff since they were just received this evening. Mr. Bergmann stated that he would like to see the original approval followed through with. Mr. Bergmann stated that he has a problem with truck traffic next to someone's house. Mr. Landano stated that it is the same situation on both sides. Ms. Woodall stated that during the site walk Roger Dionne preferred exiting and entering from Robinwood Road.

Ms. Emerson reminded the Board that they also needed to review the handicap ramp which has been reconfigured. Mr. Bergmann stated that the lighting also needs to be reviewed. Ms. Emerson stated that the lighting has been corrected on the plans. Mr. deFeyer asked about the issue on the curbing. Ms. Emerson stated that there is no curbing and there was no waiver request for curbing during the original application. Mr. Landano asked what they needed a waiver for. Ms. Emerson answered for curbing on both sides of the driveway. Mr. Landano asked if that was an issue. Mr. Tremblay asked what function the curbing will serve. Ms. Woodall stated that it is the requirement and it keeps the traffic in the pathway.

Mr. Landano stated that it is in the State's right-of-way. Mr. Landano stated that the State may have some issues with it. Mr. Landano stated that it meets the WB50 template and if a tractor trailer driver hits the curb he will have to back up into Route 302. Ms. Woodall stated that the Board made Cobble Pond Farms put in curbing across the street. Ms. Woodall stated that the curbing serves a purpose. Mr. deFeyer stated that Paul DegliAngeli [Town Engineer] likes to see curbing on Town roads and he would assume the State would want the same thing. Ms. Emerson stated that since the plans were submitted this evening, and without Mr. DegliAngeli reviewing the plans, she would hesitate granting a conditional approval. Mr. Landano stated that if the State doesn't have a problem with not adding curbing what will the Board think. Mr. Bergmann stated that the curbing is needed. Mr. deFeyer stated that he would defer it to Mr. DegliAngeli.

Mr. Bergmann stated that the driveway onto Robinwood Road may also need to be curbed. Ms. Emerson stated that she will check with Mr. DegliAngeli. Ms. Woodall asked for public comment; there was none. Ms. Duane made a motion, seconded by Ms. Sand, to continue the Minor Site Plan Review for Northern Woods Realty Trust until August 5, 1999. Motion unanimously carried.

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

Paul Lowdy, Gibson Center Director; and Edgar Allen of Thaddeus Thorne Surveys appeared before the Board. Ms. Emerson stated that they have not received any new plans. Ms. Emerson stated that the Board asked that lighting be added to the plan and for the parking lot to be reconfigured. Ms. Emerson stated that the applicant did not want to keep the entrance open to the municipal parking. Ms. Emerson stated that Mr. Lowdy wanted to come before the Board and defend why they wish to close off the entrance to the municipal parking lot. Ms. Emerson stated that the Board had requested input from the Conway Police Department which they have responded. Ms. Woodall read a letter from Chief Robert Mullen of the Conway Police Department.

Mr. Bergmann stated that the Police Department did not address the issue. Mr. Lowdy stated that the vendors do not use the municipal parking lot. Ms. Sand stated that she would like to hear what Mr. Lowdy has to say about closing the entrance to the municipal parking lot. Mr. Lowdy stated that there exists a mini bypass in that area. Mr. Lowdy stated that he tracked twenty-two (22) cars using the bypass between 9:00 a.m. and 11:30 a.m. Mr. Lowdy stated that there is definitely a safety issue. Mr. Lowdy stated that they are trying to bring their clients onto their site by increasing the parking lot. Mr. Lowdy stated that they have given the Board documentation and was of the feeling that once vendors submitted letters the Board would agree.

Mr. Lowdy stated that they base this on safety, access and parking for what we do at the center. Mr. Lowdy stated that there is a safety issue with the cut through. Ms. Sand stated that she has not heard anything new. Ms. Sand stated that the applicant plans on using five (5) parking spaces in the municipal lot and if their parking lot is full there is no place to go. Ms. Sand stated that if their clients need to use the

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municipal parking lot they will need to turn around go back onto Grove Street out onto Main Street and into the municipal parking lot. Ms. Sand stated that the Board has proposed speed bumps. Ms. Sand stated that she understands the applicants concerns, but think speed bumps will be very effective.

Mr. Lowdy stated that there safety advice has been the opposite. Mr. Lowdy stated that they have reviewed it several times and they have monitored the situation. Mr. Lowdy stated that they do not have a parking problem. Mr. Lowdy stated that they have doubled their parking and we have less tenants now. Ms. Woodall asked what is in the space now. Mr. Lowdy answered nothing. Ms. Woodall asked what will be in the space. Mr. Lowdy stated that actually White Mountain Music Top and several other organizations do use the space to meet, but they do not impact our operation period.

Ms. Duane stated that they are using the municipal lot for five (5) spaces, but if they added those spaces to their site would the Board be discussing this issue. Mr. Lowdy stated that they are not required to have access. Ms. Duane asked where does the Board stand telling the applicant that they must keep that entrance open. Mr. deFeyter stated that we got here by a safety issue. Mr. Bergmann stated that there is twenty-five (25) feet between the buildings and the loading area. Mr. Bergmann stated that closing the entrance to the municipal parking is a safety issue. Ms. Emerson read Article 123-21.G. and stated that there is a reference to connecting drives in the ordinance. Mr. deFeyter stated that the Board asked for the applicant to look at an alternative and asked if the applicant tried.

Mr. Lowdy stated that originally there were two (2) driveways onto Grove Street and that could be revisited. Mr. Bergmann stated that the ordinance encourages connecting drives. Mr. Lowdy stated that you need to look at the word "encourage" very carefully. Mr. deFeyter stated that he is not satisfied with what we've heard and stated that access through here is important and the Board should be polled. Ms. Duane stated that between the bank and the church there is a gate that is closed frequently. Ms. Duane stated that she can understand why the applicant would like it closed. Mr. Lowdy stated that they have had speed bumps in the past and they have been flattened. Ms. Woodall stated that speed bumps are effective.

Mr. Lowdy stated that there is a question of pulling into the lot finding it full and passing through to the municipal parking lot. Mr. Lowdy stated that they are concerned with people backing out of a parking space while someone is using the bypass. Mr. Lowdy stated that there is far more public transportation with that back road that has nothing to do with our operation. Mr. Lowdy stated that they will have a report done as they do not think it is necessary to keep that entrance open. Mr. Lowdy stated that there are businesses in the area which have no problem with deliveries.

Ms. Sand stated that the senior population will remain the same and the participation will remain the same. Mr. Lowdy stated that the senior population will double, but their number of deliveries will increase. Ms. Sand stated that she is concerned with that issue and she would like to look into further. Ms. Sand stated that the ordinance does encourage connecting drives to assist in the flow of traffic and it is an enforcement issue. Ms. Woodall polled the Board on whether to keep the entrance to the municipal parking lot open or closed. Mr. Webster stated that based on the ordinance it should remain open. Ms. Duane stated that she has mixed feelings and can see it both ways. Ms. Woodall stated that it should remain open. Mr. Bergmann stated that based on the ordinance it should remain open. Mr. deFeyter, Mr. Waterman and Ms. Sand stated that it should remain open.

Mr. Lowdy stated that he will need to take it back to the Council. Mr. Lowdy stated that the access is not being used for commercial access and is not being used for that intent. Ms. Woodall stated that you are looking to use five (5) of the municipal parking lot spaces. Mr. Lowdy stated that they can reconfigure their lot to include the five (5) spaces. Ms. Woodall asked for public comment; there was none. Mr. Lowdy stated that he will look into information that contradicts the spirit of the ordinance. Mr. Lowdy stated that there is nothing to drive to that is not reachable from the municipal parking lot. Mr. Lowdy stated that the use of this road is not the spirit of the ordinance as it is being used as a short cut and not to connect businesses. Mr. deFeyter made a motion, seconded by Ms. Duane, to continue the Full Site Plan

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Review for the Roman Catholic Bishop of Manchester/Gibson Center until August 5, 1999. Motion unanimously carried.

**BARBARA ROBINSON - 3-LOT SUBDIVISION (MAP 13, PARCEL 16) FILE #S99-10**

Barbara Robinson, applicant; and Edgar Allen of Thaddeus Thorne Surveys appeared before the Board. Ms. Emerson stated that all of the issues should be resolved. Ms. Woodall asked if there are any wetlands. Mr. Allen answered a little in the back. Ms. Woodall asked for public comment; there was none. Mr. deFeyter asked if there were wetlands. Mr. Allen stated that he did not physically go out and locate them, but there is some out in the back. Mr. deFeyter stated that we have a new wetland ordinance in effect for wetlands over five (5) acres. Ms. Emerson stated that the ordinance effects wetlands that are five (5) acres and mapped and this is not mapped.

Ms. Sand made a motion, seconded by Ms. Duane, to approve the 3-lot subdivision for Barbara Robinson. Motion unanimously carried. The plans were signed.

**EDWARD AND KATHLEEN GARLAND - CONCEPTUAL REVIEW**

Ed Garland, applicant; and Gene O'Brien of O'Brien Surveyors appeared before the Board. Ms. Emerson stated that the application was received on June 11, 1999, but the plans were not received until June 18, 1999. Ms. Emerson stated that the map/parcel that was notified is not the map/parcel that it is proposed for. Ms. Emerson stated that she did do staff notes and the Board could go forward with a conceptual review. Ms. Sand stated that another issue she noticed when reviewing the plans is that they are showing this as separate parcels, but they may not be separate and we would need to review the entire site.

Mr. Garland stated that there are four (4) separate tax bills. Ms. Emerson stated that they are commercial condominiums, but there are no boundary lines. Ms. Emerson stated that she did review a letter from Peter Hastings that Mr. O'Brien sent over to her today which has been faxed to Town Counsel, Peter Hastings. Mr. O'Brien stated that the applicant does have revised plans based on staff notes, but they do have a letter from Peter Hastings that talks about subdivision aspect versus condominium aspect which they could submit now.

Ms. Emerson stated that the application is complete, but unfortunately the wrong map and parcel was notified and there is a question of boundary lines. Mr. O'Brien stated that they have been waiting and would like to present the application to the Board. Ms. Woodall asked if the Board was willing to give the applicant ten minutes for a conceptual review. The Board agreed and continued with a conceptual review.

**TK PROPERTIES - FULL SITE PLAN REVIEW (MAP 65, PARCEL 2) FILE #FR99-09**

Edgar Allen of Thaddeus Thorne Surveys; Kevin King, applicant representative; and Charlie and Paul Clapp, applicants, appeared before the Board. Mr. Allen stated that this is the former China Chef property and the applicant is proposing a 30x55 building for an oil change business. Ms. Emerson stated that the State driveway permit is still outstanding; drainage calculations have been submitted and there are some revisions; the driveway needs to be revised; the shed needs to be removed from the plans; and bonding will need to be provided.

Ms. Sand made a motion, seconded by Ms. Duane, to accept the application of TK Properties for a Full Site Plan Review. Motion unanimously carried. Mr. deFeyter stated that he is concerned with the bay on the far end as it looks like a sharp turn. Mr. King stated that it should not be a problem. Mr. Charlie Clapp stated that 30 feet is fine. Ms. Woodall asked if there were any questions on the parking; there was none. Ms. Woodall stated that the applicant meets the parking requirements. Ms. Woodall asked if there were any questions regarding lighting. Mr. Waterman stated that the lighting for the sign should be added to the plans; the Board agreed.

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Ms. Woodall read a memorandum from Paul DegliAngeli regarding drainage. Ms. Woodall stated that we need landscaping calculations as the current calculations includes slopes over 25%. Ms. Woodall stated that the applicant needs North Conway Fire Department approval; North Conway Water Precinct approval; the shed to be removed from the plans; and a State driveway permit. Ms. Emerson stated that the applicant has requested a waiver for the scale. Ms. Woodall read a waiver request for Article 123-7.B(2) and the requirements to grant a waiver. Ms. Duane made a motion, seconded by Mr. Bergmann, to approve the waiver request for Article 123-73B(2). Motion unanimously carried.

Ms. Sand made a motion, seconded by Ms. Duane, to continue the Full Site Plan Review for TK Properties until August 19, 1999. Motion was defeated with Ms. Woodall, Mr. Webster, Ms. Duane, Mr. deFeyter, Mr. Bergmann and Mr. Waterman voting in the negative. Mr. deFeyter made a motion, seconded by Ms. Duane, to continue the Full Site Plan Review for TK Properties until August 5, 1999. Motion carried with Ms. Sand voting in the negative.

**WHITE MOUNTAIN OIL AND PROPANE - FULL SITE PLAN REVIEW (MAP 12, PARCEL 4-0)  
FILE #FR99-10**

Mr. Bergmann left at this time. Kirk Saunders, applicant; and Marty Risley of H.E. Bergeron Civil Engineers appeared before the Board. Mr. Risley stated that the proposal is to construct an oil tank farm on property they own on East Conway Road. Mr. Risley stated that this is the same property that received approval for a propane tank farm four (4) years ago. Mr. Risley stated that the parcel is approximately 35 acres of land with an existing gravel road into the property. Mr. Risley stated that the gravel road is constructed to town standards and the applicant would like to extend the road and build a loop off of it to accommodate the tank farm and traffic.

Ms. Emerson stated that the application meets most of the guidelines. Ms. Emerson stated that the applicant has requested a waiver for paving; we're awaiting response from the Redstone Fire Chief; and the applicant will need to provide bonding. Ms. Duane made a motion, seconded by Ms. Sand, to accept the application of White Mountain Oil and Propane for a Full Site Plan Review. Motion unanimously carried.

Ms. Woodall asked about the driveway. Ms. Emerson stated that the applicant has received a State driveway permit. Ms. Sand stated that she has visited the site and the roads are really good. Ms. Sand stated that she sees no reason for the road to be paved. Ms. Duane and Ms. Woodall agreed. Ms. Woodall read a waiver request for Article 123-23.B. Mr. deFeyter asked if a road is constructed differently if it is not going to be paved compared to a road that is going to be paved. Mr. Risley answered in the negative and stated that the road is just not paved. Ms. Woodall read the requirements to grant a waiver. Ms. Duane made a motion, seconded by Ms. Sand, to approve the waiver request for Article 123-23.B. Motion unanimously carried.

Ms. Sand stated that there is a sign that states "Do Not Enter" on the loop and asked if a sign stating "One-Way" could be erected. Mr. Risley agreed. Ms. Emerson stated that the drainage calculations have been approved. Mr. Risley stated that he has shown the wetland boundary and the setbacks. Mr. Risley stated that the Redstone Fire Department wanted to consult with the State Fire Marshall. Ms. Woodall asked if there were any further comments from the Board; there was none. Ms. Woodall asked for public comment; there was none.

Ms. Sand made a motion, seconded by Ms. Duane, to conditionally approve the Full Site Plan for White Mountain Oil and Propane conditionally upon adding a "One-Way" sign to the plans; Redstone Fire Department approval; and a performance guarantee for 50% of all site improvements. Motion unanimously carried. Ms. Sand made a motion, seconded by Ms. Duane, that when the conditions for White Mountain Oil and Propane have been met the plans may be signed out-of-session. Motion unanimously carried. Ms. Sand made a motion, seconded by Ms. Duane, that the conditional approval for White Mountain Oil and Propane will expire in thirty (30) days [August 14, 1999]. Motion unanimously carried.

**OTHER BUSINESS**

Zoning Board of Adjustment - Notice of Decisions: Ms. Woodall read Notice of Decisions for Shaw's Supermarket and North Conway Athletic Club.

James A. and Patricia Berry - Lot Merger (247/79 & 247/82): The Board agreed to sign a lot merger for James A. and Patricia Berry.

Bertil E. and Stella J. Hunt - Lot Merger (298/45 & 299/17): The Board agreed to sign a lot merger for Bertil E. and Stella J. Hunt.

Edward and Denise M. Tatro - Lot Merger (259/84 & 259/85): The Board agreed to sign a lot merger for Edward and Denise M. Tatro.

Muddy Moose (Map, Parcel) - Parking: Mr. deFeyter stated that there is a parking problem at the new Muddy Moose Restaurant. Ms. Emerson stated that she has been speaking with the manager and the owner. Ms. Emerson stated that they had more seats than permitted. Ms. Emerson stated that they have minimized the seats and the owner has implied that his is looking at expanding his parking. Ms. Emerson read a letter to the owner dated June 14, 1999.

Guldies (Map, Parcel) - Seats: Mr. deFeyter stated that the new restaurant Guldies has a lounge and two (2) decks that were not approved. Ms. Emerson stated that she would look into it.

The meeting adjourned at 11:15 p.m.

Respectfully Submitted,

Holly L. Meserve  
Recording Secretary