

JOINT MEETING OF THE
CONWAY BOARD OF SELECTMEN
AND THE
CONWAY PLANNING BOARD

MINUTES

OCTOBER 26, 2000

A meeting of the Conway Planning Board and the Conway Board of Selectmen was held on Thursday, October 26, 2000 beginning at 6:03 p.m. Those present from the Planning Board were: Chair, Sheila Duane; Vice Chair, Stacy Sand; Robert deFeyter; John Waterman; Conrad Briggs; and Alternate, Martin Frank. Those present from the Board of Selectmen were: Chair, Jac Cuddy; Gary Webster; Mark Hounsell; and Theresa Kennett. Also attending was: Town Manager, Earl Sires; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

Mr. Cuddy stated that we want to continue to look at Chapters 88 and 123 and see how we can keep a clear distinction between the two ordinances. Mr. Cuddy stated that we don't want the ordinances to be in conflict with one another. Mr. Irving stated that there needs to be a clear distinction between the two ordinances. Mr. Irving suggested adding the wording "... all applicable codes..." to Chapter 88 and then clarifies the standards and how they are going to be measured. Mr. Irving stated that Chapter 123 determines applicability. Mr. Irving stated that each ordinance within itself should say when it applies. Ms. Kennett agreed.

Mr. Hounsell stated in theory it is good, but in practice applicability needs to be determined. Mr. Cuddy stated that we need to have a starting point. Ms. Kennett stated that we cannot have Chapter 88 saying one thing and Chapter 123 saying another. Mr. Irving agreed. Mr. Hounsell stated that it doesn't now. Mr. Irving stated that we could accept what we have and then clarify the standards. Mr. Cuddy stated that there could be some changes to how we look at site plan in Chapter 123 so the applicability between the two ordinances is cohesive.

Mr. Irving asked are we as a community satisfied with what triggers site plan review. Mr. deFeyter referred to Chapter 88-3 and stated that the Town Attorney met with the Board of Selectmen and told them to take the literal interpretation. Mr. deFeyter stated that any change might be considered to provoke it (i.e. postcards to gift wrap). Mr. deFeyter stated that that should be eliminated and simply states all other applicable codes. Mr. deFeyter stated that that would address Chapter 88, but not Chapter 123.

Mr. Cuddy stated that Chapter 123 does not address needs accurately. Mr. deFeyter stated that the real issue is what triggers a review. Mr. deFeyter stated that the question is when is a site plan review necessary. Mr. deFeyter stated that parking has become the trigger. Mr. deFeyter stated that another question is who is going to make the determination of what needs site plan review, staff or Planning Board. Mr. deFeyter stated that it is really only the Planning Board that has the authority to review site plans. Mr. deFeyter stated that we need to define change-of-use and change the thresholds.

Ms. Sand stated that the Planning Board has considered what should go before us. Ms. Sand stated that we should increase the threshold so some items are not eligible for site plan review, but we need to be clear. Mr. Irving referred to his proposed change (attached). Mr. Sires stated that the square footage is too restrictive. Mr. Frank stated that there should be a difference between the entire site conforming and the proposed change conforming. Mr. Irving stated that the footprint in zoning and Chapter 88 is being used with respect to Chapter 123 to determine expansion. Mr. Cuddy discussed the difference between the retail require footage and the building footprint. Mr. Irving stated that we measure floor space and not footprint.

Ms. Kennett stated that we need to clarify Chapter 88. Mr. Irving stated that not much needs to be changed in Chapter 88; we need to clarify Chapter 123. Mr. Hounsell stated that he would like to propose a complete rewrite of Chapter 88 that is conducive to the administration to Chapter 123. Ms. Kennett stated that Mr. Irving just stated that we don't have to do much to Chapter 88. Mr. Hounsell stated that he does

Adopted: ~~DRAFT~~ *all cover hem*

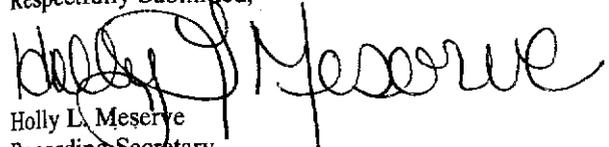
CONWAY BOARD OF SELECTMEN AND CONWAY PLANNING BOARD
OCTOBER 26, 2000

not think Chapter 88 is a matter of "... all applicable codes ..." as there are other things in Chapter 88 that needs to be looked at. Mr. Hounsell stated that we should look to see if Chapter 88 needs to be changed first and change the areas that do not work. Mr. Cuddy stated that he would like to see the Planning Board work on their area and the Board of Selectmen work on Chapter 88 and then meet again with the proposed changes. Mr. Irving suggested following the recommendation of the Town Attorney. Mr. Irving stated that Chapter 123 is more intense and any changes to Chapter 88 have to work with Chapters 123 and 147.

Mr. Waterman suggested having one member of each board work on it. Mr. Hounsell made a motion, seconded by Mr. Waterman, to form a committee with one member of the Board of Selectmen and one member of the Planning Board work on the changes to Chapters 88 and 123. Motion carried with Ms. Sand voting in the negative.

Meeting adjourned at 7:10 p.m.

Respectfully Submitted,


Holly L. Meserve
Recording Secretary