

CONWAY PLANNING BOARD

MINUTES

OCTOBER 26, 2000

A meeting of the Conway Planning Board was held on Thursday, October 26, 2000, beginning at 7:18 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Selectmen's Representative, Gary Webster; Vice Chair, Stacy Sand; Secretary, Conrad Briggs; Robert deFeyter; John Waterman; Alternate, Martin Frank; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. deFeyter asked in the Minutes of October 12, 2000, under Other Business, Article 147-19.D.(1) was there a motion to take the amendment to a public hearing. After a brief discussion, Ms. Sand made a motion, seconded by Mr. deFeyter, to send the proposed amendment to Article 147-19.D.(1) to a public hearing. Motion unanimously carried. **Ms. Sand made a motion, seconded by Mr. deFeyter, to approve the Minutes of October 12, 2000, as amended. Motion unanimously carried.**

FRONTIER VISION d/b/a ADELPHIA COMMUNICATIONS – FULL SITE PLAN REVIEW CONTINUED (1999 TAX MAP 252, PARCEL 6/OLD TAX MAP 55, PARCEL 5) FILE #FROO-15

Rodney King of Adelpia Communications and Doug Burnell of H.E. Bergeron Civil Engineers appeared before the Board. Ms. Duane stated that we have clarified the NHDOT right-of-way, the PSNH right-of-way, and the status of the back parking lot. Ms. Duane stated that the Board needs to act on the waiver request for the buffer. Ms. Duane read the waiver request for Article 147-14.2.H.(5). Ms. Duane read the requirements to grant a waiver. **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 147-14.2.H.(5) as allowed by the Zoning Ordinance to change the buffer.**

Mr. deFeyter asked if the plans show more mature trees. Mr. Irving stated what has been proposed meets the requirement of the ordinance. Ms. Duane asked if the Board members were concerned with the trees. Mr. Waterman, Ms. Sand, Mr. Briggs and Mr. Webster did not have a problem with the trees. Mr. deFeyter asked if the area proposed to be taken by the State should be planted. Mr. deFeyter stated that the Town has an agreement with the State that they will keep their right-of-way as wooded as possible. Mr. Burnell stated because of the cut they would be removed anyway. Ms. Duane asked for public comment on the waiver; there was none. **The motion unanimously carried.**

Ms. Duane read the waiver request for Article 123-30.D.(8). **Ms. Sand made a motion, seconded by Mr. Webster, to grant the waiver request for Article 123-30.D.(8).** Ms. Duane asked for public comment; there was none. **Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-30.1.A.(3). Mr. King stated that the purpose of the control building is to make sure it is 100% secure. Mr. King stated that there are no windows in any of these buildings that they have. Mr. King stated that windows do not serve a purpose and it prevents someone from breaking in and shutting off the service. **Mr. Webster made a motion, seconded by Mr. deFeyter, to grant the waiver request for Article 123-30.1.A.(3).** Ms. Duane asked if there was any public comment on the waiver; there was none. **Motion unanimously carried.**

Ms. Duane read a waiver request for Article 123-21.I. **Ms. Webster made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-21.I. Motion unanimously carried.** Ms. Duane asked if there were any questions from the Board; there were none. **Ms. Sand made a motion, seconded by Mr. deFeyter, to conditionally approve the Full Site Plan for Frontier Vision d/b/a Adelpia Communications conditionally upon adding the granted waivers to the plans; a performance guarantee for 50% of all site improvements; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire November 24, 2000. Motion unanimously carried.**

NHDOT – INTERVALE REST AREA – PUBLIC HEARING

The NHDOT held a public hearing on the proposed changes to the Intervale rest area.

WALTHAM II REALTY TRUST (BURGER KING) – MINOR SITE PLAN REVIEW (1999 TAX MAP 246, PARCEL 8/OLD TAX MAP 11, PARCEL 59) FILE MR00-17

Marc Rochon appeared before the Board. Mr. Rochon stated that they are proposing a 28 s.f. drive-up addition for cash transactions. Mr. Irving reviewed his staff report. **Ms. Sand made a motion, seconded by Mr. Briggs, to accept the application of Waltham II Realty Trust as complete for a minor site plan review. Motion unanimously carried.**

Ms. Duane read a waiver request for Article 123-21.F. **Ms. Sand made a motion, seconded by Mr. Webster, to grant the waiver request for Article 123-21.F. Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-23.D. There was a brief discussion regarding the traffic island. Mr. Rochon stated that they are hoping to reconfigure the parking lot at a later date. Mr. Rochon stated that the building in the middle that housed the old restrooms is going to be removed. **Mr. Briggs made a motion, seconded by Ms. Sand, to grant the waiver request for Article 123-23.D. Motion unanimously carried.**

Ms. Duane read a waiver request for Article 123-28. **Mr. Webster made a motion, seconded by Mr. Waterman, to grant the waiver request for Article 123-28. Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-30.A.(3). **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-30.A.(3). Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-30.D.(1) through (8). **Ms. Sand made a motion, seconded by Mr. Webster, to grant the waiver request for Article 123-30.D.(1) through (8).** Ms. Sand asked how many trees are being waived. Mr. Irving answered 69 trees. After a brief discussion, the **Motion unanimously carried.**

Ms. Duane asked if there were any other questions from the Board. Mr. deFeyter asked if there were any changes to the outside lighting. Mr. Rochon stated that they were using the existing lighting. Ms. Sand made a motion, seconded by Mr. Briggs, to conditionally approve the minor site plan for Waltham II Realty Trust conditionally upon adding the granted waivers to the plans; and when the condition has been met, the plans can be signed out-of-session. Motion unanimously carried. After a five-minute recess, the applicant had met the condition and the plans were signed.

RIVER RUN CO. – MINOR SITE PLAN REVIEW (1999 TAX MAP 218, PARCEL 49/OLD TAX MAP 69, PARCEL 13) FILE #MR00-18

Joe Berry and Dan Hickman appeared before the Board. Mr. Berry stated that they would like to add four-dormers to provide cross ventilation and lighting. Mr. Irving reviewed his staff report. Mr. Briggs made a motion, seconded by Mr. Webster, to accept the application of River Run Co. as complete for a minor site plan review. Motion unanimously carried.

Mr. deFeyter asked if there was any additional square footage being added. Mr. Berry stated that the dormers are not being added to gain square footage. Mr. Berry stated that you would only be able to take a couple of steps forward into the dormer. Mr. deFeyter asked if there is an increase of intensity of use. Mr. Berry answered in the negative and stated that this is office space revitalization.

Ms. Duane read a waiver request for Article 123-21.F [referencing 131-67.C.(8)(a); 123-28; and 123-7.B.(4)]. **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-21.F [referencing 131-67.C.(8)(a); 123-28; and 123-7.B.(4)]. Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-21.F [referencing 131-67.C.(8)(b) and 131-67.C.(8)(f)]. **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-21.F [referencing 131-67.C.(8)(b) and 131-67.C.(8)(f)]. Motion unanimously carried.** Ms. Duane read a

**Adopted: November 30, 2000 – As Written
CONWAY PLANNING BOARD – OCTOBER 26, 2000**

waiver request for Article 123-30.A.(2) and (3). **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-30.A.(2) and (3). Motion unanimously carried.**

Ms. Duane read a waiver request for Article 123-30.D.(1) and (8). **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-30.D.(1) and (8). Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-22.A. **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-22.A. Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-30.B. **Ms. Sand made a motion, seconded by Mr. Briggs, to grant the waiver request for Article 123-30.B. Motion unanimously carried.**

Ms. Duane asked if there were any other questions from the Board. Mr. deFeyter asked if the material of the building is clapboard. Mr. Berry answered in the affirmative. Mr. deFeyter asked the roofing materials. Mr. Berry answered shingles. Ms. Duane asked for public comment; there was none. **Ms. Sand made a motion, seconded by Mr. Frank, to conditionally approve the minor site plan for River Run Co. conditionally upon adding the granted waivers to the plans. Motion unanimously carried.** After a five-minute recess, the applicant met the condition and the plans were signed.

OTHER BUSINESS

James Hill, Sr. – Plan Signing (1999 Tax Map 268, Parcel 162/Old Tax Map 8, Parcel 12): Mark Lucy of White Mountain Survey appeared before the Board. Mr. Irving reviewed the conditions. After a brief discussion, the Board agreed that the conditions had been met and the plans were signed.

Proposed amendment to Article 123-10: After a brief discussion on who rejects an application, Ms. Sand made a motion, seconded by MR. Briggs, to hold a public hearing on the proposed amendment to Article 123-10 on November 30, 2000. Motion unanimously carried.

Appointment to the Chapter 88 and Chapter 123 Committee: After a brief discussion, Mr. deFeyter will be the representative with Ms. Duane being an alternate.

Edward Garland (1999 Tax Map 252, Parcel 37.001/Old Tax Map 55, Parcel 3-1): Mr. Irving stated that two trees are undersized. Mr. Irving stated that the Board has three options: accept the undersized trees; have the applicant remove the undersized trees and replace them with the proper sized trees; or keep a portion of the surety until the trees are either replaced or have grown to the correct size. After a brief discussion, the Board agreed to keep surety until either the trees are replaced or have grown to the correct size.

Meeting adjourned at 9:40 p.m.

Respectfully Submitted,

Holly L. Meserve
Recording Secretary