

**MINUTES OF MEETING
CONWAY PLANNING BOARD**

November 9, 2000

A meeting of the Conway Planning Board convened at 7:03 p.m. in the Meeting Room of Conway Town Hall with the following present: Sheila Duane, Stacy Sand, Robert deFeyter, John Waterman, Selectmen's Representative, Gary Webster, Alternate, Martin Frank (appointed to replace Arthur Bergmann who could not be present); Planning Director, Tom Irving; and Acting Recording Secretary, Gail Currier.

Approval of Minutes - Mr. deFeyter wished to discuss the Minutes of 10/26/00 as regards the Intervale rest area (which was a public meeting for information purposes) as he felt there were some good comments made with respect the issue of trees, ^{height of + ne} visibility of trees, and the issue of temporary facilities during construction. Mr. Irving noted that with two of those issues they are going to be coming back to the Board no less than sixty days prior to construction - it was felt that height of building should be pursued further, as well as the field on the north side of the property as regards wetlands, and any alternative sites to provide restroom facilities. Mr. Irving said those issues are being addressed and the Board will have an opportunity to take a look at it again. It was noted that this was the DOT's public hearing and no Minutes are available.

Ms. Sand felt enough of the members were present at the State's meeting, will remember the predominant issues, of that night and did not see a need to reiterate it. Ms. Duane suggested getting a copy of the tape and having those issues listed - building height, restrooms, trees (with regard to visibility both to the road and from the road up to the mountains). Ms. Sand noted there were also concerns of a neighbor with regard to construction scheduling. Mr. Irving said he expects these issues will be better addressed when they come back with what he hopes will be more thorough plans. He noted there is a requirement that they come to the Board no less than 60 days before the project commences; within 30 days of that hearing the Board has the option of holding a public hearing, and then 30 days to provide them with the Board's wishes as they relate to the Town's ordinances. Mr. deFeyter stated 60 days before the construction will be difficult to make changes, and felt those concerns should get into the records and be conveyed to the State.

Motion was made by Mr. deFeyter to continue the Minutes of October 26th until the next meeting. Seconded by Ms. Sand and carried by unanimous vote.

Ms. Duane appointed Alternate, Martin Frank, to replace Arthur Bergmann.

Public Hearing - Sandra J. Kidder-Subdivision Review - to subdivide 17.91 acres into 2 lots at 2520 East Conway Road, Center Conway (1999 Tax Map 241, Parcel 3/Old Tax Map 13, Parcel 10A). Douglas Burnell of H.E. Bergeron represented Ms. Kidder.

Mr. Burnell presented plans and an overview of the project, noting the original plan was to have at least one lot along the road for a family member; however, they have discovered that that road would be a "tricky situation," (it being private) and the nature of the easement that is on it. After further consideration it had been decided this could be done on the front part of the property fronting on the main highway, essentially creating lot #1 as shown and leaving all of the rest of the land as one except for a mobile home for a family member.

Mr. Irving noted regarding drainage calculations and design, since this application was submitted and report prepared, due to a State requirement, the area of the lot has increased to .16 acre so that it is more in compliance than it was before.

Mr. Irving stated the only outstanding item is the pending State approval for the driveways. Mr. Burnell said he had a phone conversation earlier in the week that it was in the mail; however, has not arrived as yet.

Motion was made by Ms. Sand to accept the plans for Sandra J. Kidder as complete. Seconded by Mr. Webster and carried by unanimous vote.

Waiver request under 131-24.O & 131-26.A - Drainage - Ms. Duane read aloud waiver request for Ch. 131-24.O and 131-26.A, noting that granting it would result in substantial public benefit. Mr. Irving said he has it on good authority from the Engineer that this particular subdivision is not going to have an implication for drainage offsite.

Motion was made by Ms. Sand to accept the waiver for 131-24.O and 26.A. Seconded by Mr. Webster and carried by unanimous vote.

Mr. deFeyer commented this is the Wetlands Conservation District and has a 100' septic system setback which is a State requirement, as well as a Town requirement, a 75' buffer, and he questioned whether that should be shown on the plan also under the new Wetlands zone, noting the 75' would apply to structures. Mr. Burnell stated this does not qualify under the new Wetlands - it is under five acres. Mr. Irving stated Mr. Burnell provided compelling evidence that he has satisfied the requirements. He feels we are O.K. with this. Mr. deFeyer felt this does not meet our definition of Wetlands for the Wetlands protection. Mr. Irving said he was so convinced.

Mr. deFeyer questioned water service by the Fryeburg Water Company, and Mr. Irving stated they do get their water from Fryeburg and a letter has been provided to that effect.

Ms. Sand wished for clarification with regard to the driveway permit for the State, whether the part they are connecting onto with the new lot is already there and, if so, why they need a permit. Mr. Irving stated because there are some new lots - there is an expanded use. He stated for our purposes it is fine.

Motion was made by Ms. Sand that the Board grant conditional approval to the Kidder property that they receive a State driveway permit, that the waiver be

added to the plans with the condition lasting 30 days, and that it can be signed out of session. Seconded by Mr. deFeyter and carried by unanimous vote.

Public Hearing - Gary Wheat - 3 Lot Subdivision for Laura M. Gass Estate - to subdivide 3.53 acres into 3 lots at 123 East Side Road, Conway (1999 Tax Map 265, Parcel 126/Old Tax Map 7, Parcel 73). Douglas Burnell of H.E. Bergeron represented Mr. Wheat. New plans were provided. Mr. Burnell stated this is essentially happening out of a need to settle an estate - it will create a lot that will be kept in the family with the existing residence, and two lots to be sold - one large one fronting on Rt. 16. Application has been made for a driveway entrance across from Dexter Shoe. There will be a shared entrance for the smaller lot that fronts on East Side Road. Mr. Burnell explained the striped area depicts a special easement; a berm is to be built and trees planted in addition to the requirements that the Town is imposing. It was noted that Conway Village Fire Precinct sewer does not reach there so it has been sized appropriately. There is Precinct water.

Motion was made by Ms. Sand to accept the application of Gary Wheat. Seconded by Mr. Webster. The motion carried by unanimous vote.

Waiver Request under Ch. 131-24.O and 131-26.A. Drainage - Mr. Irving said it will eventually impact drainage, but that would be for commercial use. For the purposes of this subdivision, there would not be an effect on drainage. They have the driveway permit for both East Side Road and Route 16. It was noted the easement description not only provides for access across the property shared by the property, but includes maintenance construction and snow removal. A copy of the easement language is in the file.

Mr. deFeyter expressed concern with the easement, noting there will be a buffer area between the two lots, the driveway can extend down, his concern is the Town has a requirement for connecting driveways between parking areas, and questioned whether this would constitute a sufficient connecting driveway between parking areas or, by accepting this easement, we would be blocking the easement off? Mr. Irving said he could not answer at this time because he does not know where they will be putting the buildings; his concern is that the Board cannot not approve one because of that concern - they have satisfied the ordinance as regards the easement. It was Mr. deFeyter's opinion that if the Board approves this with the easement in there, we are drawing a line between two properties over which they could not put a connecting driveway. Mr. Irving said he could not answer that until he sees the site plan. He pointed out if there was no easement there, there would be even less to preclude approval of the application - the owners could do this easement as a civil matter without Town approval. Mr. Burnell stated the reason the lot is where it is is because of the way it slopes. Ms. Duane stated they did not have to put that easement on there for subdivision purposes - they could have done it afterward and we would have no idea that they did that. Mr. Irving stated it is under site plan where you control whether or not they could use it. Mr. deFeyter said when we are approving the subdivision, the easement is part of the approval process so we are locking ourselves into

that easement. Ms. Sand stated it does not say that has to be the property that the connecting driveway is onto. Ms. Duane stated in order to have shared parking lots with different owners you have to have cross easements, and the Town cannot make somebody put connecting parking lots in, we can suggest it. Mr. deFeyter stated we can require that they put that on the site plan. Ms. Duane stated they only have to reserve the space. Mr. Irving pointed out this is a subdivision not a site plan - the civil matter of granting easements from one property to the other is between the property owners.

Request for Waiver under Ch. 131-24.O & 131-26.A - Ms. Duane read aloud the waiver request. **Motion was made by Ms. Sand to accept waiver for 131-24.O and 131-26.A in terms of drainage calculations. Seconded by Mr. Webster. The motion carried by unanimous vote.** Ms. Duane invited public comment. There was none.

Motion was made by Ms. Sand to grant conditional approval to Gary Wheat for the Laura Gass Subdivision on the condition that the waiver be added to the plans, shall be in effect for 30 days, and may be signed out of session. Seconded by Mr. Webster and carried by unanimous vote.

Public Hearing - John & Eleanor Schiavi/Mountainvale Village Mobile Home Park - Boundary Line Adjustments and lot consolidations - to consolidate 164 substandard lots into 65 more conforming lots at 1648 East Conway Road, Center Conway (1999 Tax Map 254, Parcel 29/Olds Tax Map 12, Parcel 25). Diane Smith of Thorne Surveys represented the Schiavis. New Plans were provided showing all the old lots as approved in 1972.

Mr. Irving said we are dealing with two issues - lot mergers and boundary line adjustments. With respect to the lot mergers, the owner of all the effected lots is the same. He suggested that the Planning Board first address that issue. He stated the Register of Deeds has indicated they would accept Sheet 1 as the recording for lot mergers; this will bring them into compliance with the State requirements. He said the design is satisfactory to the State. The boundary line adjustments are attempting to bring them to the State's requirements - bringing that 1972 plan into compliance. It also makes it consistent with the formal approval that was granted by the State.

Motion was made by Ms. Sand to approve the lot merger of the Schiavi property. Seconded by Mr. Webster. The motion carried by unanimous vote.

Motion was made by Ms. Sand to accept the subdivision boundary line adjustments for the Schiavi property as complete. Seconded by Mr. Webster and carried by unanimous vote.

Mr. Irving said there were a number of waiver items, among them drainage calculations and road profiles. He stated the Engineer has no concerns regarding offsite drainage, no particular concern with the road profiles because they are not Town roads and the drainage would not effect any Town concerns. They have provided State

approvals, but have requested that they not be required to submit the duplicates. Mr. Irving said they have given us duplicate copies of State approvals.

It was reported the proposed streets have already been rough graded, do not need the flagging. There are iron pipes for the property lines, and if the Board wishes to inspect they are invited to do so.

Waiver for Street Design - Mr. Irving stated there needs to be a waiver for two small segments of streets that were not part of the previous approval. He said the Town Engineer does not have any particular concerns regarding these two small segments. Concern from the planning and design standard aspect is that what appears to be an appropriate design and layout for scale of the roadway, closing them off to leave that large undeveloped parcel undisturbed, would be out of proportion if we require them to adhere to them. Mr. Irving said he would support a waiver for those two small sections at the end.

Mr. deFeyter said basically the waivers would be to waive the road standards, and on Blake Hill Road those turns do not meet Town road standards. Mr. Irving acknowledged they may be sharper. Mr. deFeyter said his concern with waiving road standards is that in the future they may want the Town to take over those roads. Mr. Irving said he has discussed this with the Engineer, the consensus was that the likelihood of the Town accepting that responsibility is slim to none, but there is always a possibility. Ms. Smith stated it would be unusual since the rights of way are not as wide - everything else exists except that little piece. Ms. Sand said if it is stated on the plans that the roads are not up to Town standards (if that issue were to come forth in the future), she does not see it as a problem. It was noted that it will likely remain a mobile home park, the lots are not big enough for houses.

Mr. Webster questioned whether Mr. deFeyter's fear is if the waiver is granted it is almost like an approval, and if that is the case, whether we can grant it with the understanding that it is granted to this plan, at this time, and should have no future bearing on whether the Town ever takes over the maintenance of this property? Mr. deFeyter said when road standards are waived that potentially sets the Town up for problems in the future. Mr. Irving stated this waiver has no bearing on the acceptance of this road under the Town's design standards.

Mr. Frank felt it is hard to see how that creates much of an issue because we are only talking about those two little pieces. Mr. Irving noted that it is only applicable to those two new sections, everything is done on a case by case basis or on the merits. Mr. deFeyter wished to affirm that it would apply just to this section, and this is applicable to this private situation and the Board is not endorsing any future acceptance by the Town. Ms. Sand did not feel the second half is necessary. Mr. deFeyter said he wishes it clear in the record that we are not endorsing it as meeting Town standards.

Request for Waiver under Ch. 131-24.N & 131-24.P - Ms. Duane read aloud the waiver request for Ch. 131-24.N & 24.P. Mr. Irving stated they would only be waiving standards to the two new sections, the other ones are already approved.

Motion was made by Ms. Sand to accept the Waiver request for Ch. 131-24.N and 131-24.O. in regard to a plan for storm water drainage calculations, and 131-24.P preliminary road profiles for existing and proposed roads. Seconded by Mr. Webster and carried by unanimous vote.

Waiver for Ch. 131-10 - It was explained that this waiver applies only to the two new sections that were not part of the original approval. - Goldfinch Lane and Blake Hill Road. Motion was made by Ms. Sand to accept the waiver for Ch. 131.10 pertaining to the road standards for that portion mentioned in the waiver because they were not part of the original approval. Seconded by Mr. Webster. The motion carried with 4 votes in the affirmative and 2 negative votes.

Mr. Irving requested a poll of the Board as to whether the consensus is: **that the granting of this waiver does not constitute any claim that the roads are built to Town standards.** Ms. Duane stated it is clearly stated that the waiver only applies to Goldfinch Lane and Blake Hill Road. The result of the poll of the Board was that **"everyone is of a like mind that the existing roads were not built to Town standards."**

Waiver for Ch. 131-24.Q - Duplicate copies of State approvals. Ms. Duane read the waiver request aloud. Motion was made by Ms. Sand to accept Ch. 131-24.Q waiving the requirement to have a duplicate copy submitted to the State. Seconded by Mr. Webster, the motion carried by unanimous vote.

Waiver for Ch. 131-24.R - Ms. Duane read the waiver request aloud. Motion was made by Ms. Sand to accept the waiver in regard to road flagging. Seconded by Mr. Webster and carried by unanimous vote.

Mr. Irving noted regarding utilities (electric, telephone and cable), they are all underground and are all installed. The Town has been provided with the application and Mr. Irving questioned whether the Board would like to have them shown on the plan. Ms. Smith said she had felt there were so many lines on the plan that it might be easier to read if provided on a separate document - they are sharing the same trench and she could put underground utilities showing electric, telephone and cable on with one line if deemed necessary. It was Mr. Irving's preference to have it on the plan.

Mr. Irving questioned whether the septic lines are shown. Ms. Smith stated they are tiny dots on the final three pages. It was noted they have State approved septic systems. Mr. Irving felt it is advisable to have the water lines clearly marked as well.

Motion was made by Ms. Sand to continue this subdivision to our next meeting so that they can have time to show the underground utility lines, and add on the waivers. Mr. Irving noted the Town Engineer and staff are not of the opinion there is a need for bonding. It was noted the next meeting will be December 14th. Ms. Sand questioned whether there is any way this could be added to the agenda for November 30th since it is a public hearing. Mr. Irving questioned whether the Board would be interested in a conditional approval that could be signed out of session for those

items. Shawn Fogg, on behalf of Schiavi, agreed that it is not an issue since they have already lost this year so would be willing to continue until Dec. 14th.

Motion was made by Ms. Sand, seconded by Mr. Webster, that the waivers be added on the plan - water and sewer lines and utilities. Ms. Duane asked for public comment - there was none. The motion carried by unanimous vote.

Other Business:

Roger Jones - Expiration Date Extension - Ms. Duane read aloud a letter from Roger Jones requesting an extension of time for obtaining the bond until Nov. 9, 2001, or such time as he applies for a building permit, stating that all conditions for the conditional approval granted by the Board on 10/12/00 have been met, with the exception of the performance bond for 50% of all site improvements. Ms. Sand asked whether he has met all conditions except for the bonding. Mr. Irving said yes, and suggested extending it in such a way that they make it a one year extension.

Motion was made by Ms. Sand to extend the conditional approval for the Roger Jones property until 11/9/01. Seconded by Mr. Webster and carried by unanimous vote.

Mark Ohlson - Plan Signing - Post Office Building - Mr. Irving stated the conditions have been satisfied. There is not going to be a key for the Knox box system; however, the Fire Chief does not have a problem with that - he can resolve all his issues during the building construction phase. Attention was drawn to Note 20 on Sheet 2 - Boxes shall be located on property according to regulations and shall be consistent for parking lot design.

Painted crosswalk - Mr. Irving said sidewalks have been connected by striping on the plan.

Propane Tanks - Note: they would be underground.

It was noted the granted waivers have been added, the Town has received the Wetlands Permit, Driveway Permit, and the performance guarantee.

Motion was made by Ms. Sand to approve the site plan for the Ohlson Property. Seconded by Mr. Webster and carried by unanimous vote. The plans were duly signed.

Mr. Ohlson said the Postal Dept. has decided they now want a different building (the same as the one at New Hampton). It is about 12 ft. shorter than originally planned, the space to be replaced by grass or shrubs on the west side. Everything is the same except the building shrinks by 12 feet. Mr. Ohlson stated that, architecturally, it is a better

building. There was question as to whether this could be accepted as a field change or would need an application for site plan review. Ms. Duane stated the building still meets our requirements, but is 12' shorter. Mr. Webster pointed out that Mr. Ohlson has stated that the windows do not meet the requirements, but will. Ms. Duane suggested a letter be submitted by Mr. Ohlson stating the building is the same except changed by 12', and all conditions will be met, including that the building will have 5% windows. Ms. Sand noted it is not the same footprint - parking, loading dock configuration have changed, and she felt the changes are significant enough that it needs to come back for minor site plan. A poll of the Board was requested by Mr. Waterman, who noted the Board has given approval tonight and questioned whether they need to come back for review? The result of the poll: 4 answered in the affirmative, with Ms. Duane and Mr. Waterman answering in the negative.

Mr. Irving expressed to Mr. Ohlson that the first available meeting will be December 14th, application must be made no less than fifteen days before then for minor site plan review.

Motion was made by Ms. Sand that these plans for the U. S. Post Office are not acceptable as field changes, therefore, minor site plan review is required in order to institute those changes. Seconded by Mr. Frank. The motion carried with four votes in the affirmative and 2 negative votes.

Joy Tarbell Real Estate Office Walkway - Mr. Irving advised the Board of Ms. Tarbell request to not have to provide the connecting walkway depicted on the plan. Mr. Irving agreed that requiring the connecting walkway to the sidewalk in that situation does pose a threat to public health and safety. It was noted that the dry cleaning business located there has already been directed to stop parking their van on the street and start using the parking lot. Mr. Irving, after having visited the site, felt having that walkway there is a very dangerous thing. He would prefer that they close the fence, but hopes the snow will do it for the winter.

Ms. Sand pointed out parking there is against the law, and felt instead of making them change their site plans to go out of conformance, that the law be enforced - people are doing something illegal - we are saying we have to bring them out of conformance. Mr. deFeyter asked whether there is some other way this could be configured, for instance, if the sidewalk were to be moved over. Mr. Irving said it would make it less convenient. Ms. Duane stated people pull up on the sidewalk to drop off cleaning, if we add this we are giving them the green light to park on the sidewalk even more.

It was noted that the property owner is asking the Town's permission to take away a potential hazard on her property, that she does not want to be responsible for, as an acceptable field change. Mr. Irving said he has spoken with the property owner, and their consultant has suggested having DOT put up "no parking along the street" signs. Ms. Sand suggested that the sidewalk be moved to the parking lot side and a crosswalk be installed across the parking lot to the real estate office, giving safe access from the sidewalk.

Mr. Irving expressed concern that this would either effect a tree, or that they take out the pond and flower bed. Mr. Frank pointed out the basis for this is safety reasons, the State supports that. The State would like to see the driveway not be connected and Town staff concurs. He said he agrees with Ms. Duane - it is unlikely that these businesses are going to create a lot of traffic on the sidewalk, and questioned whether the Board should require something be planted there to discourage people crossing there. Ms. Duane suggested a picket fence would do it, noting if a hedge is put there the plow trucks will kill it after one winter. Ms. Sand noted there are a lot of businesses coming in there and questioned why even have the sidewalk there? It was felt just taking out the sidewalk is not going to relieve the safety hazard. Mr. Irving said the applicant is concerned that this would increase the likelihood and, therefore, create more potential for some horrific accident happening, so would prefer to leave it as grass instead of putting in the walkway. Mr. Irving asked whether it would be the Board's pleasure to **require putting in a vegetative buffer to keep people from walking across there as an acceptable field change.** A poll of the Board resulted in unanimous support of Mr. Irving's statement and the Board authorized him to so proceed.

Amendments to Ch. 123, 131 and 147 - It was noted that a meeting is scheduled for November 30th at the Center Conway Fire Station to address a variety of ordinance amendments, including Warrant Articles and public hearings for ordinances that the Planning Board can change.

Ch. 123-3 - Definition of Rooftop Mechanicals: Mr. deFeyter suggested not going with it because it would create more problems than it solves. Ms. Duane questioned then how the problem of the vagueness could be solved. Mr. Irving stated the Board has to make a determination that "this is a rooftop mechanical" and stick with it. Ms. Duane said we need to get the definition into the site plan regulations. Mr. Irving agreed that there is an issue here; he has looked at over 200 ordinances in the State of NH and found none - as it is now it is at the discretion of the Board.

Mr. Frank said he has a problem with the phrase "rooftop mechanical" and wondered if there is a way to describe what it is. Mr. Irving stated BOCA has a book describing rooftop mechanicals, i.e. if just a hood it would not be covered because it is not mechanical. Mr. Frank stated that is his point - we want to cover these things. Ms. Sand said then you get into the whole category of any roof protuberance. Mr. DeFeyter suggested it be addressed by looking at the appearance of the building. Mr. Irving suggested **"any objectionable devices on the roof that detract from architectural character of the building have to be shielded from view."** He was directed to explore architectural guidelines to address this. Mr. Webster commented that addressing it that way might also address satellite dishes that are appearing on roofs - they are needed, but need to be shielded also.

Ch. 123-4 - Replace the Staff Review by an exemption for qualified projects: It was Ms. Sand's opinion that this is not taking it out of Planning Board hands, there is a reporting to the Board that this is what is taking place and the only problem with it is there

needs to be a definition of intensity of use. Mr. Webster said he does not have a problem in having a public hearing, soliciting input to factor into all the other pieces of the puzzle. Mr. Frank noted there is a significant change from item 3 under the old language - the new language states all proposed changes - if there was an intent that it might have been a way to try to make non conforming site more conforming, he does not want to lose that.

Mr. deFeyter stated with regard to greenspace, in some of the villages 200 sf might be all the greenspace there is. He suggested maybe a combination of the number and percentage of the greenspace.

Question of applying for site plan twice - Mr. Irving stated it would apply to the property - site plans are property specific. If someone applies twice then sells the property the new buyer is out of luck. Mr. deFeyter suggested it brings it more into conformity. Mr. Irving advised anyone who has any revisions to make them and bring them forward. Mr. Frank stated he was not necessarily suggesting that the language here be changed; he supports the idea of a public hearing.

Question: Is 100 sf too small? Mr. Frank stated with a really big building that is not a lot. Ms. Sand noted full review says "exceeds 1000 sf," anything in between this and that would be considered minor. Mr. deFeyter said anytime someone wants to change the footprint we would want them to come in for review. Ms. Duane noted unless the Board wants to relinquish some of its control we will never come to agreement - not every property or project is the same - in order to have staff review you have to give it. Mr. deFeyter said if we have a minimum amount of greenspace required someone should be able to reduce it toward that minimum as well as not going below it.

Mr. deFeyter had concern for the changes to the structure - the proposed changes to the structure conform to all applicable codes and the total structure is not any less non conforming. Mr. Irving said there could not be a reduction in greenspace that took them below the 25% - no permitted increase in the structure even if 50', if it put them in the setback. Ms. Sand suggested language - "all proposed changes to the structure and/or site must conform to all applicable codes."

Mr. Webster questioned the situation where there is a small change on a site that has a site plan, and the change involves improving the conditions granted under a waiver. Mr. Irving stated that is automatic site plan review.

Mr. deFeyter pointed out State law gives the Planning Board authority to grant waivers, once you grant it you have to live with it; the only way to change it is to come back to the Planning Board. Mr. Webster asked what if the change improves the conditions the way the waiver was granted, what mechanism can be used to get rid of a waiver if it "cleaned up" the waiver?

A poll of the Board resulted in 4-2-0 that we **"Want the site to stay in conformance or not be less conforming."** It was felt that Item A is sufficient.

Mr. deFeyter had an issue with intensity of use. Mr. Irving stated it is based on if there is an increased demand for parking, septic loading, trip generation - would have to

add to that "and anything else," so definition is not going to do anything. He suggested making a finding of fact and adopting it as policy. Mr. deFeyter agreed. It was felt it doesn't merit the structure of an ordinance amendment.

B. "The proposed changes do not increase the intensity of use, including, but not limited to, parking, traffic generation and septic loading." Ms. Duane pointed out that tonight's reduction by the Post Office would be exempt under this scenario.

C. Proposed changes conform to the site design standards in this chapter - it gives authority to make sure the design standards of the site plan regulations apply. Mr. Frank suggested changing "A" to read "all changes to the structure and/or site conform to the codes." Ms. Duane prefers to leave design structures standing alone.

Mr. Webster questioned the use of a form. Mr. Irving stated there is going to be a submission requirement - maybe something as simple as providing a building permit application that gives the information.

The Board agreed on the following 6-0-0: **All proposed changes to the structure and/or site conform with the site design standards of this chapter and all applicable codes."**

D. Net reduction in green space is less than or equal to 200 sf. The Board saw no problems with this.

E. 100 sf of existing floor space. It was the feeling it is too small. Mr. Irving said greenspace may be larger because something is going to be done about disturbance, accessory disturbance to greenspace may also be addressed. Ms. Duane would like to see it say 900 sf. Mr. deFeyter wished to keep it at 100 sf because once the footprint is changed it needs to go to full review. Mr. Irving suggested using 10% or 250' whichever is less. He suggested that the greenspace be marginally larger than the building - perhaps 400 sf of greenspace, or just leave the numbers the way they are and see if it works. Mr. Irving said this provides for staff review without encumbering the applicant to go through all the public noticing.

Mr. deFeyter questioned whether there will be a fee. Mr. Irving said he did not think so, noting the fees that have to happen for the minor review do not nearly cover the running around he has to do. He feels there would be a net saving to the Town. It is a determination of applicability. Mr. Webster noted Ch. 88 says a building permit can only be issued as long as all the other codes and requirements have been met, and questioned how to get to that point. Mr. Irving said people will come in for a building permit application and will be informed that this activity is subject to site plan review. It is already part of the building permit application - there may be an increased building permit fee.

Mr. deFeyter requested a typewritten copy of the proposed amendments be made available for review prior to the public hearing. Mr. Irving agreed.

Motion was made by Ms. Sand to submit this to a public hearing for November 30, 2000, as amended. Seconded by Mr. Webster. Discussion: Mr. deFeyter said the public hearing has to be noticed so we have to have available what it is we are going to be discussing. Mr. Irving stated it will satisfy the statutory requirements. Ms. Sand's motion carried 6-0-0.

F. Mr. Irving stated that by using the property to property dimension we have protected every parcel in the business district, the NHMA attorney thinks we are O.K.- the whole town is now protected. He would like to have a public information meeting first then take it to public hearing.

Motion was made by Ms. Sand that a public information session be included at the November 30th public meeting in regard to proposed amendment to Ch. 147.12. Seconded by Mr. Webster and carried by unanimous vote.

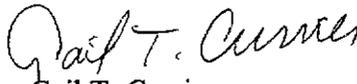
Proposed Warrant Article: **To see if the Town will amend the authority of the Planning Board to review and approve or disapprove site plans per RSA 674:43 by removing the residency requirement for technically qualified Town administrators that could be chosen by the Planning Board to be part of a special review committee to review minor site plans.** Mr. Irving commented the original article included the Board's authority to delegate minor site plans, this goes beyond that and will give fall back so we can do staff review.

Motion was made by Ms. Sand to submit it for public hearing. Seconded by Mr. Waterman. The motion carried 5-1-0, with Mr. deFeyter casting the dissenting vote.

There was a discussion regarding adding parking spaces and lots into the definition of structure and Mr. deFeyter suggested that the location be right after the word "carports." Mr. Irving noted because it would fall under the structure definition, it would no longer be permitted in the setback. This would give the additional protection from having pavement going property line to property line. Ms. Sand asked that the Board be provided with copies of the rewording for review.

Motion was made by Mr. Waterman, seconded by Ms. Sand carried by unanimous vote that the meeting adjourn at 11:00 p.m.

Respectfully submitted,


Gail T. Currier
Acting Recording Secretary