

CONWAY PLANNING BOARD

MINUTES

MARCH 8, 2001

A meeting of the Conway Planning Board was held on Thursday, March 8, 2001, beginning at 7:04 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Selectmen's Representative, Gary Webster; Secretary, Conrad Briggs; Robert deFeyter; Alternate, Martin Frank; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve

**REVIEW AND ACCEPTANCE OF MINUTES**

The Minutes of February 22, 2001, should be amended as follows: page 3, under amendments, paragraph 2, first sentence should be added to read, "...Mr. Webster suggested posting the changes in the paper; the Board agreed minus Mr. deFeyter. Mr. Briggs made a motion...". **Mr. Briggs made a motion, seconded by Mr. Frank, to approve the Minutes of February 22, 2001 as amended. Motion unanimously carried.**

**C.N. BROWN – MINOR SITE PLAN REVIEW CONTINUED (MAP 215, PARCEL 13)  
FILE #MR00-19**

Charlie Sheehan of C.N. Brown appeared before the Board. Mr. Sheehan stated that the Board has requested the utilities be underground. Mr. Sheehan read a letters from Glen Saunders, abutter, and Dale Wilkie of the power company. Mr. Sheehan stated that the overhead utilities as they are today are the most practical option. Mr. Sheehan again requested a waiver for underground utilities.

Mr. deFeyter stated that he spoke to the NHECOOP and they stated that it would be difficult to put in the underground utilities and he would suggest the Board waiving the underground utilities. **Mr. deFeyter made a motion, seconded by Mr. Frank, to reconsider the waiver request for Article 123-29. Motion unanimously carried. Mr. Briggs made a motion, seconded by Mr. deFeyter, to approve the waiver request for Article 123-29.** Ms. Duane read the requirements to grant a waiver. **Motion unanimously carried.**

Mr. deFeyter stated that the only approved lighting is under the canopy. Mr. Sheehan stated that he would eliminate the lights along River Road. The Board agreed that the lights on the northern end of the building need to be identified on the plans. The Board agreed that the lights on the southern and western side, except over the back door, of the building need to be removed.

**Mr. Frank made a motion, seconded by Mr. deFeyter, to conditionally approve the minor site plan for C.N. Brown conditionally upon indicating lights on the north side of the building on the plans; remove lighting from west and south sides of the building; modify the fixture over back door and add note that light will shine downward and not off the site; and when the conditions have been met, the plans will be signed in-session.** Ms. Duane asked for public comment; there was none. **Motion unanimously carried.**

**Adopted: April 11, 2001 – As Written  
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**PETERSON PETROLEUM – MINOR SITE PLAN REVIEW CONTINUED (MAP 215, PARCEL 83) FILE #MR01-02**

Shawn Bergeron of Bergeron Technical Services appeared before the Board. Mr. Bergeron read a letter from Peterson Petroleum in regard to the canopy. After a brief discussion, the Board moved to the next item. Ms. Duane read a waiver request for Article 123-30.D.1. Mr. deFeyer asked if the tubs of flowers are in lieu of trees are they subject to the same requirement that they must be replaced as necessary. Mr. Bergeron stated that every year they will have to plant flowers in the tubs or they will be in violation of their site plan approval.

Mr. Irving referred to note #9. Mr. deFeyer asked if the tubs are part of the plan. Mr. Irving answered in the affirmative and stated that the tubs should not become the rainbow logo. **Mr. Frank made a motion, seconded by Mr. Webster, to approve the waiver request for Article 123-30.D.1. Motion unanimously carried.** Ms. Duane read a waiver request for Article 123-30.D.6. and 123-30.D.8. **Mr. Frank made a motion, seconded by Mr. Briggs, to approve the waiver request for Articles 123-30.D.6. and 123-30.D.8. Motion unanimously carried.**

Mr. Irving stated that the Town Engineer has approved the drainage with the new asphalt. Mr. deFeyer asked if there were any bathrooms. Mr. Bergeron answered for employees, but not for the public. Ms. Duane asked for public comment; there was none. **Mr. Briggs made a motion, seconded by Mr. Webster, to conditionally approve the minor site plan for Peterson Petroleum conditionally upon adding dumpster note to the plans; add note that “tubs” will be wooden (not painted); a performance guarantee for 50% of all site improvements; and when the conditions have been met, the plans can be signed out-of-session. Motion unanimously carried.**

**MT. WASHINGTON OBSERVATORY – MINOR SITE PLAN REVIEW (MAP 219, PARCEL 1 & 2) FILE #MR01-03**

Shawn Bergeron of Bergeron Technical Services appeared before the Board. Mr. Bergeron stated that the applicant wishes to change the building from office use to retail and office use. Mr. Bergeron stated that there would be no change to the exterior of the building. Mr. Irving reviewed his staff report. **Mr. Webster made a motion, seconded by Mr. Briggs, to accept the application for Mt. Washington Observatory for a minor site plan review as complete. Motion unanimously carried.**

The Board had a brief discussion regarding eliminating the three parallel parking spaces and adding more greenspace, which would reduce some of the waiver requests. The Applicant and the Board agreed to continue the meeting. **Mr. Briggs made a motion, seconded by Mr. Webster, to continue the minor site plan review for Mt. Washington Observatory until March 22, 2001. Motion unanimously carried.**

Craig Magee asked if he could speak regarding this application. Ms. Duane apologized for not opening it up to public comment. Ms. Duane reopened the public hearing at this time and Mr. Briggs withdrew his motion to continue and Mr. Webster withdrew his second. Ms. Duane asked for public comment; Craig Magee stated that he believed he has an easement to cross this property. Mr. Bergeron stated that he researched the easements at the Registry of Deeds and did not find anything. Mr. Magee stated that it is a part of his deed. Mr. Bergeron asked for a copy; Mr. Magee agreed.

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Mr. Magee asked if there were any drainage issues. Mr. Bergeron stated that there are no modifications proposed to the drainage. Being no further public comment; **Mr. Briggs made a motion, seconded by Mr. Webster, to continue the minor site plan review for Mt. Washington Observatory until March 22, 2001. Motion unanimously carried.**

**ALVIN MILLER – 3-UNIT SUBDIVISION (MAP 214, PARCEL 79) FILE #S01-02**

Jon Howe of Ammonoosuc Survey appeared before the Board. Mr. Irving stated that the application is complete, but there are some changes to the design. **Mr. Briggs made a motion, seconded by Mr. Webster, to accept the application of Alvin Miller for a unit subdivision as complete. Motion unanimously carried.**

Mr. Irving suggested the application be continued until the applicant can address the concerns of the Kearsarge Lighting Precinct. Ms. Duane asked for public comment; Ralph Delano stated that he would like to see the exact location of the entrance and asked if the septic systems are required to have monitoring wells. Mr. Howe showed Mr. Delano the location of the entrance and stated that the septic systems have been approved without monitoring wells.

Sheila Lundigran asked if there is going to be any tree removal on the banking. Mr. Howe stated that they would clear the driveway, the house area and the septic area. Mr. Howe stated that they would leave as much as possible. **Mr. Webster made a motion, seconded by Mr. Frank, to continue the subdivision review for Alvin Miller until March 22, 2001. Motion unanimously carried.**

**OTHER BUSINESS**

The Mountain View Condominium At Crown Ridge Resort – As-Built Condominium Site Plan (Map 203, Parcel 56): **Mr. Briggs made a motion, seconded by Mr. Webster, to approve the as-built plans for The Mountain View Condominiums at Crown Ridge Resort. Motion unanimously carried.** The plans were signed.

Workshop: The Board agreed to meet on Thursday, March 15, 2001 at 6:30 p.m. for a workshop.

Site Plan Review Regulations: The Site Plan Review regulations amended February 22, 2001 were distributed at this meeting and Mr. Bergmann's will be sent to him in the mail.

Respectfully Submitted,

Holly L. Meserve  
Recording Secretary