

**JOINT MEETING WITH THE
CONWAY PLANNING BOARD AND
THE CONWY BOARD OF SELECTMEN**

MINUTES

OCTOBER 18, 2001

A meeting of the Conway Planning Board was held on Thursday, October 18, 2001, beginning at 6:06 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Sheila Duane, Planning Board Chair; Gary Webster, Selectmen's Chair; Dick O'Brien, Selectmen and Selectmen's Representative to the Planning Board; Conrad Briggs, Planning Board Secretary; Brian Glynn, Planning Board; Robert Drinkhall, Planning Board; Theresa Kennett, Selectmen; David Weathers; Selectmen; Karen Umberger, Selectmen; Earl Sires, Town Manager; Thomas Irving, Planning Director; Sandy Stowell, Code Enforcement Officer; and Holly Meserve, Recording Secretary.

MASTER PLAN UPDATE

Jimmy Hicks and Darren Mochrie of RKG appeared before the Boards. Mr. Hicks stated his firm plans on working the next fourteen (14) months re-writing the Master Plan. Mr. Hicks distributed a copy of the scope of work to the Boards. Mr. Hicks stated that they would follow an outline that meets the State's RSAs for a Master Plan. Mr. Hicks stated there needs to be a consensus from the community on where they want to go. Mr. Hicks stated that this is not the consultants' plan, but your communities plan.

Mr. Hicks stated that he has a number of different approaches to the communities input. Mr. O'Brien stated that he hopes the consultant will visit each village. Mr. Hicks stated that they would be holding meetings in Center Conway, North Conway and Conway Village. Mr. Hicks stated that they want to come up with some type of vision of what each village wants to see and become. Mr. O'Brien stated that each village wants to keep it's own identity.

Ms. Kennett stated that she is concerned that over time there will be a lack of interest unless the people see something. Ms. Kennett asked how Mr. Hicks thinks this time will be different. Mr. Hicks stated that Ms. Kennett has identified a major problem. Mr. Hicks stated that they are proposing to make implementation and vision pieces available up front.

Mr. Glynn asked if our community is unique since we have State roads running through all of our villages. Mr. Hicks stated that Conway is not unique in that sense, but the roadways that do go through the villages serve other places. Mr. Glynn asked during the process is there a way to work with the State. Mr. Hicks stated that the State has become more understanding and that they have realized that they need to meet the local needs.

Mr. Webster stated that he would like to see a good balance between commercial and residential. Ms. Kennett left at this time. Mr. Briggs stated that a big issue is controlling sprawl. Ms. Duane stated that we also have pockets of residential around the commercial district. Mr. Hicks stated

**Adopted: October 25, 2001 – As Written by the Planning Board
CONWAY PLANNING BOARD AND BOARD OF SELECTMEN – OCTOBER 18, 2001**

that the community will need to determine if those pockets of residential should be converted to commercial over time and if they want to allow mixed use.

Ms. Duane asked when the first public forum would be held. Mr. Hicks answered in approximately one and a half months. Mr. Hicks stated that they want to work on demographics, housing and land use first. Mr. Hicks stated that they want to know people's values and what they want and don't want. Mr. Hicks stated that they would not be giving any presentations.

Ms. Umberger stated that it is difficult to come up with a vision for the Town and she would hate to see the Town end up with different rules for each village. Ms. Umberger stated in the vision we don't want to lose sight of the fact that we are a complete Town. Ms. Umberger stated that she does not want to see the villages at odds with each other. Ms. Umberger stated that it is more an aesthetic thing. Mr. Hicks stated that it is something you can incorporate into the Master Plan and we can show you how.

Mr. Hicks stated that they will be meeting with the Planning Board in November and he will produce a schedule with Mr. Irving. Mr. Glynn stated that he would also like to look at open space.

ORDINANCE AMENDMENTS

Chapter 88 & 89: The two Boards reviewed the proposed changes. Mr. Irving stated that this is a policy that is set by the Planning Board and enforced by the Board of Selectmen. The Planning Board will discuss this amendment at their October 25, 2001 meeting.

147-19.B.(1)(g) Window Signs: After a lengthy discussion, the Boards agreed to the attached changes to the proposed amendment.

147-14 Floodplain Conservation District: The Boards reviewed the proposed changes and there was a consensus to remove the requirement for 2-foot contours.

147-31 Wetland and Watershed Protection District Boundaries: The Boards reviewed the proposed changes. Under A.(3) it was changed to three acres from five acres and under A.(4) the Natural Resources USDA Conservation Survey of 1973 was referenced as well.

147-19 Signage: Mr. Sires submitted the attached memorandum with suggested changes to the sign ordinance. After a lengthy discussion, the Boards agreed to review the proposed changes further.

Meeting adjourned at 9:03 p.m.

Respectfully Submitted,

Holly L. Meserve, Recording Secretary

CHAPTER 88
BUILDING CONSTRUCTION

ARTICLE I

Building Heights

~~Building Heights shall conform to the provisions of Chapter 147-17.2 of the Conway Zoning Ordinance. [Adopted 3/75, Amended 3/94]~~

ARTICLE II

Permits; Changes of Use; Certificates

88-1. Legislative intent. This article is adopted pursuant to RSA 31:39 674:51 and RSA 674:52 for the purposes of better regulating and promoting the general health and welfare of the public and of the occupants and users of the buildings and other structures in the Town of Conway, New Hampshire, as well as better ordering the public's prudential affairs.

88-2. Adoption of building code.

1. The BOCA National Building Code (1996 edition) is hereby adopted as the building code for the Town of Conway for the control of buildings and structures that are within BOCA Use Groups A, B, E, F, H, I, M, R1, R2 and R3. Each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Building Code are hereby referred to, adopted and made part hereof as if fully set out in this ordinance, with the additions, insertion, deletions and changes, if any, prescribed in Section 88-2.3 of this ordinance.

2. Additions, insertions and changes. The following BOCA Code sections are hereby revised:

Section 101.1 Title These regulations shall be known as the Building Code of the Town of Conway hereinafter referred to as "this code."

Section 112.3.1 Fee schedule. A fee for each plan examination, building permit and inspection shall be paid in accordance with Section 88-6 of this Chapter.

Section 116.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall be guilty of a misdemeanor by a fine in accordance with Section 88-10 of this chapter, or imprisonment not exceeding fourteen (14) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offence.

Section 117.2 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such

work as that person is directed to perform to remove a violation or unsafe condition shall be liable to a fine in accordance with 88-10 of this chapter.

Section 2701.1 Scope. The provisions of this chapter shall control the design and construction of all new installations of electrical conductors, equipment and systems in buildings or structures; and all alterations to existing wiring systems therein to ensure safety. All such installations shall conform to the edition of the NFPA 70, "National Electrical Code" that is currently being enforced by the State of New Hampshire, Electricians Licensing Board.

Section 2901.1 Scope. The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings, shall comply with the requirements of the BOCA National Building Code currently being enforced by the State of New Hampshire, Licensing Board.

Section 3408.2 Applicability. Structures existing prior to March 11, 1986, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3403.0 through 3407.0.

The provisions in Sections 3408.2.1 through 3408.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Use Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Use Group H or I.

88-3. Building permit required; certificate of occupancy. ~~{Amended 3/88}~~

1. A. No building or other structure shall be constructed, altered or moved until a written building permit has been issued by the Selectmen ~~for said town~~ or their agent when the construction or alteration to take place is of the following types:
 1. ~~(1)~~ **Structural.** All structural changes, additions and/or alterations to a building or other structure shall require a building permit. Furthermore, all changes, additions and/or alterations ~~which that~~ may affect the structural capacity of an existing building or other structure shall require a building permit.
 2. ~~(2)~~ **Footprint expansion.** All expansions of the existing footprint (as defined in Chapter 147-6) of a building shall require a building permit. ~~The "existing footprint" is defined as the existing exterior dimensions of a building or other structure in plain plan view. Included in these dimensions shall be all appurtenant structures such as decks, greenhouses and bay windows.~~
 3. ~~(3)~~ **Assessor's use.**
 1. (a) All residential home improvements to a building or other structure costing in excess of one thousand five hundred dollars (\$1500) per structure per year shall require a building permit. If labor is to be done by the owner, then the value of the improvement shall be determined by doubling the value of the materials used.

2. ~~(b)~~ All improvements to a commercial structure, regardless of what value, shall require a building permit.
4. ~~(4) Moving Buildings.~~ Whenever a building or other structure is to be moved, a building permit shall be required. ~~Reference is made to Chapter 142 of the Code of the Town of Conway for further requirements to move a building or other structure.~~ Compliance with Chapter 142 of the Code of the Town of Conway is required to move a structure.
2. ~~B.~~ A certificate of occupancy/compliance is required by the Town of Conway after completion of work under all commercial non-residential or multifamily building permits. A certificate of occupancy/compliance may be issued by the Town of Conway as requested after completion of work under a one or two family residential building permit.

88-4. ~~88-2.1. Registration of contractors. [Amended 3/88]~~

1. ~~A.~~ All contractors shall be registered prior to working on any project in the Town of Conway. A registration may be applied for at the town offices and will be issued by the Selectmen or their duly appointed agent. There shall be no fee for this registration.
2. ~~B.~~ Upon obtaining a registration from the Town of Conway, the contractor accepts the responsibility for obtaining and keeping current all building permits required by the town. Should a contractor violate this section of the Code of the Town of Conway, the penalties shall be as follows:
 1. ~~(1)~~ First offense: one hundred dollars (\$100).
 2. ~~(2)~~ Second offense: five hundred dollars (\$500).
 3. ~~(3)~~ Further offenses: The contractor is prohibited from obtaining building permits directly or as an agent or owner for a period of six (6) months and shall pay a fine of one thousand dollars (\$1000).
3. ~~C.~~ Any person who violates this section and wishes to appeal the penalties may do so by appearing before the Board of Selectmen.

88-5. ~~88-3. Requirements for change of use. [Amended 3/88]~~ Compliance with Town Codes.
Prior to issuing a building permit, applications shall be reviewed by the Selectmen or their agent to ensure compliance with applicable codes. Whenever a change in the nature of an existing business use of any land or building, or whenever a new use of any land is to be established, or a non-business use of any land or building is to be changed to any business use or home occupation, an approved zoning permit or Planning Board approval, if appropriate, is required. No new use or change of use may take place until a written application has been filed and approved by the Selectmen or their agent, or by the Planning Board. All applications requiring Planning Board approval shall be reviewed by the Selectmen or their agent to ensure zoning compliance, but a separate zoning permit shall not be required. All applications shall be reviewed by the Selectmen or their agent to determine whether Planning Board approval is necessary. If planning Board approval is not necessary.

a separate zoning permit is required. If Planning Board approval is required, a separate zoning permit shall not be required and the applicant shall proceed to the Planning Board for the necessary approvals.

88-6. 88-4. Fees. {Amended 3/87}

1. A. A nonrefundable fee shall be paid to the town with each application for a building permit as follows:
 1. ~~One or two family~~ One or two family residential structures: twenty dollars (\$20).
 - (2) ~~Utility and miscellaneous construction:~~
 - (a) ~~Fifteen thousand dollars (\$15,000) or less valuation: twenty dollars (\$20).~~
 - (b) ~~Each one thousand dollars (\$1000) or fraction thereof of valuation more than fifteen thousand dollars (\$15,000): twenty dollars (\$20) plus four dollars (\$4) per thousand or fraction thereof.~~
 2. (3) All other construction: Each one thousand dollars (\$1000) or fraction thereof of valuation: four dollars (\$4). Twenty dollars (\$20) plus four dollars (\$4) per thousand for each thousand over fifteen thousand dollars (\$15,000).
2. Words and phrases hereunder shall be deemed to have the same meaning and definitions as set forth in the BOCA Code adopted in this chapter by the Town as Town Code Chapter 89. Dollars per square foot (\$/SF) are to be based on current mean construction cost data for 1987, and repairs and remodeling \$/SF shall be based on general estimated practice.
3. In all cases estimates shall at least meet valuations represented in the latest edition of the Marshall Valuation Service (Marshall and Swift, LP.) on file in the Assessor's office.
 - C. ~~Valuation per building classification shall be included with determined from the following rates:~~

Classification	Rate (\$ per SF)
Assembly buildings	\$55.00
Business buildings	60.00
Educational buildings	65.00
Factory and industrial buildings	30.00
Institutional buildings	80.00
Mercantile buildings	35.00
Residential, multifamily buildings	45.00
Residential, motel/hotel buildings	50.00
Storage buildings	25.00
Utility and miscellaneous buildings	15.00
Repair and remodeling	25.00

4. ~~D. Notwithstanding any other enforcement action available to the Town, An applicant filing an application late may be required to shall pay an additional penalty fee of ten~~

dollars (\$10) for each day between the date construction began and the date the application was filed that it is late.

5. A nonrefundable fee of fifteen (15) dollars shall be paid to the Town with each application for a zoning permit.

~~E. A nonrefundable fee of fifteen (15) dollars shall be paid to the town with each application for a zoning permit or change of use permit as follows:~~

~~(1) Each application: fifteen dollars (\$15).~~

~~(2) For each abutter to be notified: two dollars (\$2).~~

88-7. ~~88-5.~~ Application for permits.

1. ~~A.~~ Each application for a building permit and application for a zoning permit or change of use shall be in writing, signed by the owner of the property to be built upon, on forms to be supplied by the Town. These forms shall be filled out in sufficient detail to show conformance with this Article and all applicable state and Town of Conway rules, regulations and ordinances. Copies of the original forms to be used hereunder have been filed by the Selectmen with the Town Clerk of Conway with a copy of this Article prior to its adoption.

2. ~~B.~~ In addition to the application forms, all applicants for a building permit for a commercial or multifamily (three or more unit buildings) project shall be required to submit architectural/structural plans conforming to the BOCA Code as part of their submission. The applicant shall submit one copy of these plans to the town's Town's Building Inspector and one copy to the Fire Chief having jurisdiction ~~covering that construction site.~~

88-8. ~~88-6.~~ Expiration of permits. Any building permit shall expire upon completion of the proposed project as may be indicated on the form or at the end of one (1) year, whichever time shall arrive earlier. All building permits issued by the town prior to the date of adoption of this Article shall remain valid no longer than one (1) year after the effective date of this Article.

88-9. ~~88-7.~~ Amendment of application forms. The Selectmen shall be authorized to amend the forms to be used hereunder from time to time, provided that at least two (2) public hearings shall be held, with each hearing having published notices therefore at least two (2) weeks prior to such hearing; after the second hearing, the Selectmen shall vote to adopt amended forms, record the amended forms with the Town Clerk of Conway, and thereafter the same shall be valid and enforceable. In the notice of the second hearing, the entire proposed amendment shall be published and no substantive ~~only nonsubstantive~~ changes may be made after the second hearing.

88-10. ~~88-8.~~ Violations and penalties. Any violation of any provision of this Article or the forms promulgated hereunder shall be punished on conviction by a fine of up to \$100 per day pursuant to RSA 676:17 ~~not more than one hundred dollars (\$100), plus costs, to be paid~~

~~over on collection to the use of the town.~~ The Town town may also enforce this chapter and the regulations hereunder by injunction, restraining order or other appropriate action.

88-11. ~~88-9.~~ Applicability; when effective. This chapter shall apply throughout the Town of Conway and shall take effect when adopted at any duly warned town meeting.

88-12. Inconsistent Ordinances. In the event that the requirements of this chapter are in conflict with other codes, the more stringent shall apply.

88-13. Saving clause. Nothing in this ordinance or in the building code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

88-14. ~~88-10.~~ Amendment of chapter. This chapter may also be amended in accordance with RSA 675:3 the usual manner by majority vote of the town at any town meeting for which the warrant gives notice of the proposed change. This shall not be deemed to limit the authority of the Selectmen to adopt and/or amend forms consistent with the powers and procedures hereunder established ~~or as may be amended at any such town meeting.~~

147-19. Signs.

B. (1) (g) window signs which are affixed to the interior of the window, not to cover more than 50% of any window, the total window area which is available to the use which is advertising the product or service directly inside the window(s).

~~the area of the window~~ and do.

147-14. Floodplain Conservation District.

A. The purpose of this district is to promote and protect the health, safety and general welfare of the town by providing reasonable regulations governing development and use of the floodplain.

B. The Floodplain Conservation District is hereby determined to be those areas identified and delineated as a floodplain with a one-percent-or-greater chance of flooding in any given year, which is designated as ~~Zone A and A-1-99~~ on the Flood Insurance Rate Map of Conway issued by the Federal ~~Insurance~~ **Emergency Management** Administration as amended from time to time and/or on the Flood Hazard Analysis Map of 1974, prepared by the United States Department of Agriculture Soil Conservation Service, whichever delineates the higher flood level.

In cases where the floodplain boundary is disputed, a survey plan prepared and certified by a surveyor licensed by the State of New Hampshire, that clearly represents the floodplain boundary and ~~2 foot contours~~, may supersede the boundary represented in the preceding paragraph with respect to the Floodplain conservation district provisions of this chapter. This in no way provides any relief from any other local, state or federal requirement of regulation.

C. The following uses shall be permitted within the Floodplain Conservation District to the extent that they are not prohibited by any other ordinance, and provided that they do not require structures, fill or storage of materials or equipment. In addition, no use shall adversely affect the efficiency or unduly restrict the capacity of the channels or floodways of any tributary to the main stream, drainage ditch or any other drainage facility or system, nor for any use in the floodway, raise the level of the one-hundred-year floodwaters.

- (1) Agricultural uses, such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, viticulture, truck farming, forestry, sod farming and wild crop harvesting.
- (2) Residential accessory uses, such as lawns, gardens, parking areas and play areas.
- (3) Sealed public water supplies.

D. Special Exceptions.

- (1) Special exceptions may be granted by the Zoning Board of Adjustment for the following uses within the floodplain, except those areas within the floodway, unless expressly allowed in the floodway hereunder, as defined herein:
 - (a) Uses, but not structures, compatible to open space.
 - (b) Limited agricultural extraction of sand, gravel and other materials for noncommercial use.
 - (c) Boat landings and boat access areas within the floodway.
 - (d) Railroads, streets, driveways, bridges, utility, transmission lines and pipelines.

*a plan
drawn*

- [d] Other site dimensions, above and beyond the overall acreage requirement listed above, shall be sufficient to provide safety areas suitable to meet all FAA suggested dimensions and requirements.
 - [e] Previous to zoning board considering any application for a special exception for this land use, all Federal and State approvals, which are required, must be obtained by the applicant with copies of these approvals submitted as part of the request for special exception.
 - [f] A major site plan approval shall be required of the applicant from the Planning Board for the heliport, which is accessory to an approved business. As a condition for the granting of the special exception, no use of the heliport may be engaged by the applicant until all conditions of the special exception, including a major site plan approval, have been satisfied by the applicant.
- (2) No special exceptions shall be granted, however, until the following conditions are met:
- (a) All development and substantial improvements shall comply with the minimum standards of the regulations of the National Flood Insurance Program contained in 44 CFR 60.3 and 44 CFR 60.6 (Code of Federal Regulations), as amended.
 - (b) New and replacement water supply, replacement septic systems and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters.
 - (c) All fill, new construction, substantial improvements and other development within the floodway shall be prohibited unless the applicant's New Hampshire registered engineer can show the activity would not result in any increase in flood hazard within the Town of Conway.
 - (d) The granting of the special exception would not violate the general spirit of the ordinance nor would it create a public health or safety hazard.

E. Special provisions.

- (1) There shall be no expansion of present nonconforming buildings or pre-existing septic systems in the floodplain, provided that this shall not prohibit the maintenance, repair and/or correction of such pre-existing septic systems, which malfunction. There shall be no allowance of a new septic system in the floodplain.
- (2) Existing nonconforming buildings within this district, which have been substantially damaged may be repaired within one year, provided that they comply with the minimum standards of the regulations of the National Flood Insurance Program (See definition of substantial damage in Section 147-6). Buildings not rebuilt to such standards shall be removed completely.
- (3) Changes to watercourse.

- (d) In Zone AO, the one-hundred-year-flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or, if no depth number is specified on the FIRM, at least two (2) feet.
- (8) Electrical, heating, ventilation, plumbing, air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (9) The Building Inspector shall maintain for public inspection and furnish upon request any certification of floodproofing and the as-built elevation (in relation to mean sea level) of the lowest floor (including the basement) of all new or substantially improved structures and include whether or not such structures contain a basement, and if the structure has been floodproofed, the as-built elevation (in relation to mean sea level), to which the structure was floodproofed. This information must be furnished by the applicant.
- (10) Excavation shall be prohibited in the Floodplain Conservation District.

F. Variances.

- (a) A variance is a relaxation or setting aside in a specific case, of certain specified terms of this ordinance. In accordance with RSA 674:33, I(b), the applicant shall have the burden of showing, in addition to the usual variance standards under state law:
 - [1] That the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense;
 - [2] That, if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result; and
 - [3] That the variance is necessary, considering the flood hazard, to afford relief.
- (b) The ZBA shall notify the applicant in writing that:
 - [1] The issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - [2] Such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

The community shall: [1] maintain a record of all variance actions, including their justification for their issuance; and [2] report such variances issued in its annual or biannual report submitted to FEMA's Federal Insurance Administrator.

The ZBA may approve, approve with conditions, or deny applications for variances following the procedures in this ordinance.

147-31. Wetland and Watershed Protection District Boundaries.

A. The Wetland and Watershed Protection District shall be comprised of all land within one hundred (100) feet from the edge of:

- (1) all water bodies, excluding:
 - (a) Great Ponds, which are covered under the Shoreline Protection District. (See 147-30 above); and
 - (b) certain man-made water bodies, such as fire ponds, agricultural/ irrigation ponds, sedimentation/detention basins, and septage lagoons.
- (2) all year round watercourses
- (3) all wetland areas greater than ~~five (5)~~ ^{three (3)} contiguous acres, excluding
 - (a) constructed or legally altered wetlands not part of a wetland mitigation plan, and
 - (b) vegetated swales and roadside ditches.
- (4) all other wetland areas as shown on the Town of Conway 1997 Wetlands Composite Map abutting a water body or year round watercourse, regardless of the wetland acreage involved.

Natural Resource
USDA
Conservation
Survey
1973

~~B. Said water bodies, watercourses and wetlands referenced in paragraphs (1) through (4) above shall be only those identified on the map entitled: "Town of Conway, New Hampshire, Wetlands Composite Map, prepared by Complex Systems, University of New Hampshire, January 1997".~~

C. Key Word Definitions

- (1) A "watercourse" shall be as defined in Section 147-6.
- (2) The "edge of the water" shall be determined by the normal high water mark, defined herein under Section 147-6.
- (3) The "edge of the wetland" shall be determined by the criteria established in and defined by the Corps of Engineers Wetlands Delineation Manual Technical Report Y-87-1, Environmental Laboratory, Department of the Army, 1987 and Regional Field Indicators for Identifying Hydric Soils in New England, New England Interstate Water Pollution Control Commission, 1998.
- (4) A "wetland" shall be as defined in section 147-6.
- (5) "Buffers/Wetland" shall be as defined in section 147-6.

D. B. Use of Mapped Wetland Information Contained in the Town 1997 Wetlands Composite Map

The Town of Conway 1997 Wetlands Composite Map shall be employed for general planning and permitting purposes with regard to the review of development proposals. Such mapping may prove helpful, for example, in determining whether a particular land parcel is likely to contain or abut wetlands of greater than five (5) acres in size. However, due to map scale (1" = 2000") and level of detail, it is recognized that the 1997 Wetlands Composite Map may indicate the presence of a wetland where no wetland is actually present, and it may fail to indicate the presence of a wetland where a wetland is actually present. Any question as to the accuracy or application of the 1997 Wetlands Composite Map to a particular parcel or tract of land may be resolved with a plan certified by a wetland or soil scientist licensed by the State of New Hampshire delineating the wetlands shall be determined through on-site verification by in accordance with paragraph B. (3) above the criteria established in and defined by the Corps of Engineers Wetlands Delineation Manual Technical Report Y-87-1, Environmental Laboratory, Department of the Army, 1987 and Regional Field Indicators for Identifying Hydric Soils in New England, New England Interstate Water Pollution Control Commission, 1998.

10/2/01
K. J. ...

Attn: horel

Town Manager

Memo

To: Board of Selectmen and Planning Board
From: Earl Sires, Town Manager
CC: Tom Irving, Sandy Stowell, file
Date: 10/18/01
Re: Proposed amendments to Chapter 147

The following amendments are proposed and are intended to reduce ambiguities and further clarify the existing code. I believe these changes will result in a more efficient and defensible code enforcement process.

Sign Permit (New Section)

Permit not required when:

147-19.B. (1)(n) sign message or content changes that result from a change of business ownership or use that do not otherwise alter the size, shape, location or other physical features of an existing, conforming, and legally permitted, sign.

Directional Signs and ~~No Trespassing Signs~~

For 147-19.B (1)(b) and ~~(c)~~ add the following as a final sentence:

There shall be no commercial message, logos, or other text on said signs.

A Frames

147-19.B (1)(f) one portable a-frame sign per lot of record in the business districts; the sign must be removed and placed indoors at the close of business and in any event no later than 9 PM.. Such signs shall have an area no larger than six square feet and shall not be illuminated. Appendages to the sign are not permitted.

Window Signs

147-19.B (1)(g) window signs affixed to the interior of a window shall not cover more than 50% of the total area of each individual window.

Balloons

147-19.I. (2) Banners, pennants, search lights, twirling signs, commercial balloons and blimps and other gas-filled figures, and other such materials shall be prohibited, except as specified herein

Sign Dimensions

Change all references to "message area" to "total sign area" or "sign width, "sign height" as appropriate.