

CONWAY PLANNING BOARD

MINUTES

JUNE 13, 2002

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A site walk was conducted at 6:00 p.m. at the proposed Dunkin Donuts site (PID 235-33). Those present were: Chair, Sheila Duane; Selectmen's Representative, Dick O'Brien; Vice Chair, Robert Drinkhall; Secretary, Conrad Briggs; Brian Glynn; David Robinson; Planning Director, Thomas Irving; Project Administrator, Holly Meserve; Mike Norman of Provan & Lauber; Brian Fram, owner; and Darren Leavitt of Badger Realty.

A meeting of the Conway Planning Board was held on Thursday, June 13, 2002 beginning at 7:10 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Selectmen's Representative, Dick O'Brien; Vice Chair, Robert Drinkhall; Secretary, Conrad Briggs; Brian Glynn; David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Drinkhall made a motion, seconded by Mr. Glynn, to approve the Minutes of May 16, 2002 and May 23, 2002 as written. Motion unanimously carried.

OSCAP, LTD – PLAN SIGNING (PID 265-163) FILE #FR02-05

Mr. Glynn made a motion, seconded by Mr. O'Brien, to grant final approval and to sign the plans. Ms. Duane asked for public comment; there was none. Motion carried with Mr. Robinson abstaining from voting. Jim Keenan was given two sets of signed plans.

WALMART – FULL SITE PLAN REVIEW (PID 246-62) FILE #FR02-07

Mr. Drinkhall made a motion, seconded by Mr. Glynn, to continue the full site plan review for Wal-Mart until June 27, 2002. Motion unanimously carried.

FRAM REAL ESTATE – FULL SITE PLAN REVIEW CONTINUED (PID 235-33) FILE #FR02-

Brian Fram, owner, Mike Norman of Provan & Lauber, and Darren Leavitt of Badger Realty appeared before the Board. Mr. Norman submitted plans addressing the Town Engineer's comments and showing the elevation views of the existing retail building and the proposed building. Mr. Irving stated that staff has not had an opportunity to review the new plans.

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Ms. Duane stated if all the required trees are planted they are going to kill themselves. Mr. Norman stated that the applicant's original proposal had half of the requirement. Mr. Irving stated that when the trees grow to maturity the canopy would be 25-50'; so reducing the density of trees does seem reasonable. Mr. Briggs stated that a landscaper needs to put a plan together.

Mr. Norman asked if the Board would look upon a waiver for trees favorably. Mr. Glynn stated that he would like to see flowering shrubs and he would favor clustering of trees rather than every ten feet. Russ Seybold of the Conway Scenic Railroad suggested arborvitae.

Mr. Norman asked if the board saw any problems with the traffic island waiver request. The Board agreed with the proposed parking lot design. Ms. Duane asked what is going to happen to the cooler boxes next to the loading area. Mr. Fram stated that they would do something to them so it does not look like a silver box. Mr. Glynn stated that the applicant should do something that is architecturally similar to the building.

Ms. Duane asked about the dumpster enclosure. Mr. Norman stated that it would look like wood lattice. Mr. Robinson stated that the loading area doesn't appear to be very effective. Mr. Norman stated that the grades are what they are, but the existing woodwork may have to be altered some. Ms. Duane asked if there would be safety railings. Mr. Irving stated that they will be addressed under the building permit process, but the Board may want to look at them architecturally.

Ms. Duane asked for public comment; there was none. Mr. Leavitt stated that the architectural drawings submitted are conceptual and could change. Mr. Irving stated the architectural drawings are compared under the building permit process. Mr. Irving stated if they are different from what was approved the Planning Board will make the determination if it is an acceptable field change or if it will require another site plan review.

Mr. Briggs made a motion, seconded by Mr. Glynn, to continue the full site plan review for Fram Real Estate until June 27, 2002. Motion unanimously carried.

T. PAUL AND LORETTA L. MATSUBARA – FULL SITE PLAN REVIEW (PID 277-287) FILE #FR02-08

Burr Phillips and Andrew Manning of H.E. Bergeron Civil Engineers appeared before the Board. Ms. Duane stated that the Board conducted a site walk on this site on May 23, 2002. Mr. Manning explained the application. Mr. Irving stated that the application is complete. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to accept the application of T. Paul and Loretta L. Matsubara for a full site plan review as complete. Motion unanimously carried.**

Mr. Irving stated other than the waiver requests the application meets the standards. Ms. Duane read a letter from James Porter. Mr. Irving stated according to the Conway

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Village Fire District this site does have municipal sewer. Mr. Manning stated that he has reviewed this application with the superintendent of the Conway Village Fire District, Thomas Steele, and he has approved the reclaim system on the site. Mr. Manning stated that the proposed car wash reuses approximately 60% [corrected later in the meeting to be 95%] of the water. Mr. Manning stated that there is municipal sewer and not a septic system.

Mr. Manning stated that the catch basins drain into a vegetated swale, which removes any sediments and drains into dry wells, which recharges the groundwater. Mr. Phillips stated that there is no more of a risk here than on any other commercial site. Mr. Phillips stated if motor homes dump their waste into the basins it will come out into the ground system. Ms. Duane suggested having CVFD put in a dumping station similar to Settler's Green. Mr. Phillips stated that he does not see this as being a large attraction for motor homes. Mr. Glynn stated that there are no facilities to clean a motor home on site. Mr. Phillips agreed.

Mr. Phillips stated in regard to stacking there is 420 feet that would be able to hold 22 cars. Mr. Manning stated in regard to noise, the air dryers are on the end of the building and the remaining trees will create a large buffer. Mr. Manning stated that there is a natural berm approximately 12 feet above the ground. Mr. Manning stated that there is also a large NHDOT buffer. Mr. Manning stated that the dryers would only be on until 8:30 p.m.

Mr. Manning stated that nothing larger than a freight truck will deliver to this site, but the site has been designed for a tractor-trailer and the plans indicate that in a note. Mr. Manning stated that he spoke to Russ Seybold of the Conway Scenic Railroad and the applicant has agreed to plant a row of arborvitaes as a soft, dense buffer along the property line.

Mr. Robinson asked about lighting. Mr. Manning stated that the lights are on 12-foot poles over the vacuum cleaners that are directed toward the building. Mr. Manning stated that they are a shoebox type light that does not reach the property lines.

Jim Porter stated that the chemicals used are deadly and there is going to be some overflow going into the sewage system or the culvert that goes into Pequawket Pond. Mr. Porter stated that he is also concerned with the traffic. Mr. Porter stated that noise pollution alone is something to be considered. Mr. Porter stated that he can see a big traffic jam onto Route 16. Mr. Porter stated that this is a poor location. Mr. Porter stated that he has made a lot phone calls and a hazardous material study should be conducted as this is a health hazard.

Mr. Porter stated that all of his concerns have not been addressed. Mr. Porter stated that this is a 24-hour a day business. Mr. Porter stated that this is a residential neighborhood and this is a bad place for a car wash. Mr. Porter stated that motor homes come in at night and dump their waste in the drains. Mr. Porter stated that he wants the Board to go through every one of his issues and he wants it published in the Conway Daily Sun.

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Christine Collins stated that her porch is facing the proposed building. Ms. Collins stated that noise is an issue and the chemicals are a concern. Ms. Collins stated that she deals with traffic and there is no way people are not going to use this facility correctly. Ms. Collins stated that people use her lawn as a restroom and asked if a restroom was proposed. Ms. Collins stated that this is opened 24-hours a day and unmanned a good portion of the time. Mr. Porter stated there goes their property value and stated that there is no way this should be in a residential area.

Mr. Irving stated under Article 123-40 the Board has authority to request studies and to be funded by the applicant. Mr. Irving suggested letting the applicant address the concerns more fully and then come back before the Board. Mr. Phillips stated that a discharge permit has been approved through the NHDES. Kerry Grout stated that most of the products are biodegradable and environment friendly.

Ms. Duane stated under the Master Plan there is a concern with the aquifer and we want to do the best job we can so we don't have any problems down the road. Mr. Irving stated that the Town Engineer reviewed the transportation, but we can ask him to review it again. Ms. Duane stated that any traffic study is going to show you that Route 16 is in failure. Ms. Collins stated without the car wash, there is no place to go. Mr. Porter stated that the Route 16/West Main Street intersection is dangerous.

Mr. Irving asked what it is the Board would like to see. Mr. Glynn stated that the abutters are concerned with run-off from ground water, which we should look into. Ms. Duane stated that there is a concern with discharge from RV's. Ms. Collins stated that this would change her property. Mr. Collins stated that the elevated hill would not block his view to this site.

Ms. Duane asked what is this zoned. Mr. Irving answered highway commercial. Ms. Collins disagreed and stated that she is in a residential zone. After a brief break to review the district, Mr. Irving stated that the proposed car wash and the Collin's home are located in the Highway Commercial District. Mr. Irving stated that the car wash is an allowable use. Mr. Irving stated that we have residential and commercial next to each other.

Mr. Collins stated that he would like to see a fence between him and the car wash. Mr. Phillips stated that they are leaving the existing trees along that property line. It was determined that there is 75 feet between the Collin's porch and the asphalt. Mr. Irving asked if the applicant is willing to put up a fence. Larry Smolinsky agreed as long as this was the only concern by the abutter. Mr. Collins agreed, but Mrs. Collins disagreed. Mr. Porter stated that this may be the highway commercial district, but it is still a residential area. Mr. Porter requested an answer to his issues in writing.

The Board asked that the Town Engineer review stacking of cars; the Town Engineers opinion on a traffic study and what roads should be considered; and the applicant address the letter of concern from James Porter. Mr. Manning stated that they would also provide

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the MS sheet. Mr. Seybold stated that he has no problem working out the legality of the easement. Mr. Porter stated that his concern is for public safety and there should be a complete study with factual answers.

Mr. Drinkhall made a motion, seconded by Mr. O'Brien, to continue the full site plan review for T. Paul And Loretta L. Matsubara until June 27, 2002. Motion unanimously carried.

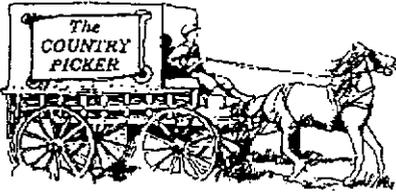
**THE DENISE BROUGHTON REVOCABLE TRUST – FULL SITE PLAN
REVIEW (PID 202-16) FILE #FR02-09**

Mr. Irving stated that the applicant has requested a continuance. Mr. Briggs made a motion, seconded by Mr. Glynn, to continue the application for The Denise Broughton Revocable Trust until June 27, 2002. Motion unanimously carried.

The meeting adjourned at 9:00 p.m.

Respectfully Submitted,

Holly L. Meserve
Recording Secretary



JIM PORTER'S

The Country Picker, Inc.

MOVING • STORAGE

June 11, 2002

Town of Conway Planning Board
P.O. Box 70
Center Conway, NH 03813-0070

RE: 4520 s.f Carwash at 402 West Main St.

Dear Board Members:

I would like to address a number of concerns I have not only for myself, but my neighbors as well, with the proposed carwash on West Main Street. I have researched carwash operations and verified that our concerns are warranted. I would greatly appreciate these concerns and questions being addressed at the meeting planned for June 13, 2002

First is the fact that there is no town sewer available for discharge water. Although I have town water I also have a well on my property and I am concerned about ground water contamination. I'm sure that the septic plans will include a grease and oil trap, however carwashes, especially Self Service Carwashes, tend to have chemicals and other pollutants dumped in their outside drains. Additionally the engine cleaners and degreasers used in carwashes will breakdown the grease and oils in the grease traps and allow them to travel into the leach fields contaminating the ground water. I've been told also that people will use the carwash drains for oil changes. Motorhomes and buses will also dump their toilet holding tanks in the drains, whether in the bays or parking lot drains. I would like to know if the parking lot drains would be routed to the grease and oil traps as well. In addition to hydrocarbon-based liquids, like waxes being dumped, carwashes also use acids, caustics, rust inhibitors and high alkaline cleaners for washing tires and wheels. Where will these liquids go?

My next concern is the amount of water that will be carried out of the carwash and on to West Main Street, as well as Route 16. The property will need to have sufficient drip space for cars and trucks exiting the wash. Pick-up truck beds will drain up to 20 gallons of water onto the roadways when they first accelerate causing an icing problem in the winter, this, in an area that is already subject to more than it's fair share of accidents. To that end, should a traffic survey be conducted to assess the true impact of this business on the area? What about stack-up of cars going into the facility? Is there sufficient area provided for lets say 12 cars, waiting in line without effecting traffic flow on the lot, which appears to be too small anyway?

Noise will be more of an issue for the people living behind the site than for myself, this property is very close to a residential area. The air dryers in a carwash are extremely loud and this noise will be directed either towards Beep-Beep Deli Mart or at these

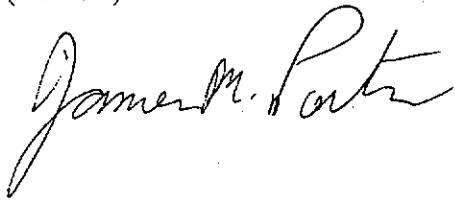
residential buildings depending on how the building is situated. Which makes me wonder also, how they are going to have freight trucks get in and out of the lot with chemical deliveries without having to back in off of West Main or Route 16. This could be a serious problem.

Will any special plantings be put in after the lot is cleared to obscure the raised railroad bed at the rear of the property? I don't believe that we need another carwash in this town at the risk of contaminating people's wells, not to mention it's close proximity to Pequaket Pond, which we don't need to clean that up again. Certainly, the Mount Washington Valley does not need a carwash at its gateway.

There are 100 other reasons why I don't want a carwash near my property, many of which I am probably not even aware of yet, but these are a few that my neighbors and myself should be most concerned with.

Thank you in advance, for your attention to these matters.

James M. Porter
The Country Picker Moving and Storage
(Abutter)

A handwritten signature in cursive script that reads "James M. Porter". The signature is written in dark ink and is positioned below the typed name and address.