

CONWAY PLANNING BOARD

MINUTES

FEBRUARY 27, 2003

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CONWAY PLANNING BOARD

MINUTES

FEBRUARY 27, 2003

A meeting of the Conway Planning Board was held on Thursday, February 27, 2003, beginning at 7:00 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Selectmen's Representative, Gary Webster; Brian Glynn; David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Glynn made a motion, seconded by Mr. Webster, to approve the Minutes of February 13, 2003 as written. Motion unanimously carried.

FURBUSH REALTY LLC – MINOR SITE PLAN REVIEW CONTINUED (PID 235-37) FILE #MR03-01

Shawn Bergeron of Shawn Bergeron Technical Services appeared before the Board. Mr. Bergeron stated that very little has changed; all the questions have been addressed. Mr. Bergeron stated in conversations with Town Staff concern items have been resolved. Mr. Bergeron stated that the ramp from the lower to the upper parking area would be paved instead of being left gravel. Mr. Irving stated that the Town Engineer has no issues with on-site drainage or drainage leaving the site.

Mr. Robinson asked if the two handicap spaces exist. Mr. Bergeron answered in the affirmative and stated they were approved in the summer of 2001. Mr. Drinkhall asked for public comment; there was none. Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read a waiver request for Articles 123-20.F. and 131-67.C.8.a.; 123-20.F. and 131-67.C.8.e.; 123-20.F. and 131-67.C.8.f.; 123-20.G.; 123-20.I.; 123-21; 123-22.B.; 123-27.; 131-67.C.8.a.; 123-29.A.2. & A.3.; 123-29.D.6; 123-29.D.8. and 123-30.

Mr. Bergeron stated 131-67.C.8.a. should be amended to remove the wording “. **Mr. Webster made a motion seconded by Mr. Glynn, to approve the waiver request for Articles 123-20.F. and 131-67.C.8.a.; 123-20.F. and 131-67.C.8.e.; 123-20.F. and 131-67.C.8.f.; 123-20.G.; 123-20.I.; 123-21; 123-22.B.; 123-27. 131-67.C.8.a.; 123-29.A.2. & A.3.; 123-29.D.6; 123-29.D.8. and 123-30 as amended. Motion unanimously carried.**

Mr. Webster made a motion, seconded by Mr. Glynn, to conditionally approve the minor site plan review for Furbush Realty, LLC conditionally upon submitting a performance guarantee for all site improvements and landscaping; the plans can be

signed out-of-session when the condition has been met; and this conditional approval to expire on May 22, 2003. Motion unanimously carried

**HAROLD WHITAKER AND THOMAS FADDEN – BOUNDARY LINE
ADJUSTMENT (PID 263-56 & 58) FILE #S03-05**

Jon Howe of Ammonoosuc Survey Company appeared before the Board. Mr. Howe explained the project. **Mr. Webster made a motion, seconded by Mr. Robinson, to accept the application for Harold Whitaker and Thomas Fadden for a subdivision/ boundary line adjustment review as complete. Motion unanimously carried.** Mr. Irving stated that staff has no issues with the requested waivers.

Mr. Drinkhall asked if there were any questions by the Board; there was none. Mr. Drinkhall asked if there was any public comment; there was none. Mr. Drinkhall read a waiver request for Articles 131-24 & 25.; 131-24.N.; 131-26.A. & 24.O. and 131-24.K, T, U & V. **Mr. Glynn made a motion seconded by Mr. Webster, to approve the waiver request for Articles 131-24 & 25.; 131-24.N.; 131-26.A. & 24.O. and 131-24.K, T, U & V as amended. Motion unanimously carried.**

Mr. Glynn made a motion, seconded Mr. Webster, to conditionally approve the Boundary Line Adjustment for Harold Whitaker and Thomas Fadden conditionally upon submitting a Mylar plan; when the condition has been met, the plans can be signed out-of-session; and this conditional approval to expire on May 22, 2003. Motion unanimously carried.

**WILLIAM AND ARLENE STRICKLAND/WYATT HOUSE – MINOR SITE
PLAN REVIEW (PID 215-32) FILE #MR03-03**

William and Arlene Strickland, owners; and Ray Desmarais of Desmarais Construction appeared before the Board. Mr. Irving explained the project. **Mr. Glynn made a motion, seconded by Mr. Webster, to accept the application for William and Arlene Strickland for a minor site plan review as complete. Motion unanimously carried.** Mr. Irving stated that Staff has no issues with the requested waivers. Mr. Irving stated that the applicant is narrowing a driveway into our standards and increasing the buffer in the southeast corner with greenspace.

Mr. Glynn asked if there is a limit in the number of units. Mr. Irving answered in the negative and stated that there is a limit to the number of buildings and this will exhaust the number of buildings they are allowed. Mr. Robinson asked if there are new parking spaces. Mr. Irving stated that they have redesigned the site to meet a majority of our regulations.

Mr. Drinkhall read a waiver request for Articles 131-67.C.8.a and 123-27.; 123-29.A.2. and A.3. and 123-29.D.8. and 9. Mr. Irving stated that they are requesting to use a cluster of birches instead of the normal 3” tree. **Mr. Webster made a motion seconded by Mr.**

Robinson, to approve the waiver request for Articles 131-67.C.8.a and 123-27.; 123-29.A.2. and A.3. and 123-29.D.8. and 9. Motion unanimously carried.

Mr. Webster made a motion, seconded by Mr. Glynn, to conditionally approve the minor site plan review for William and Arlene Strickland conditionally upon a performance guarantee for all site improvements and landscaping; when the condition has been met, the plans can be signed out-of-session; and this conditional approval will expire on May 22, 2003. Motion unanimously carried.

OTHER BUSINESS

T. Paul and Lorreta L. Matsubara/Larry Smolinsky – Car Wash (PID 277-287) File #FR02-08 – Extend Conditional Approval Expiration Date: Mr. Webster made a motion, seconded by Mr. Glynn, to extend the expiration date for File #FR02-08 until May 22, 2003. Motion unanimously carried.

M & P Partners II LLC (PID 218-55) File #MR00-01 – Conditional Approval Expired: Mr. Webster made a motion, seconded by Mr. Glynn, to hold a public hearing on March 13, 2003 to close the M & P Partners II LLC file. Motion unanimously carried.

Poliquin, Rice, & Carrier/Old Mill Estates (PID 268-117.23 & 117.24) File #S01-16 As-Built Plan Signing: Mr. Webster made a motion, seconded by Mr. Robinson, to sign the as-built plans for Old Mill Estates. Motion unanimously carried.

Meeting adjourned at 7:48 p.m.

Respectfully Submitted,

Holly L. Meserve
Recording Secretary



TOWN OF CONWAY

1634 EAST MAIN ST. • CTR. CONWAY, NEW HAMPSHIRE 03813

(603) 447-3855

FAX (603) 447-5012

MEMO

TO: Sheila Duane, Planning Board Chair

FROM: Tom Irving, Planning Director

CC: Planning Board, File

DATE: 03/05/03

RE: Amendments

Message:

Please find the attached amendments for the Planning Board's consideration.

The amendment to 123-4.A. (Applicability) may provide the necessary flexibility to exempt undertakings that would otherwise trigger a site plan review but are insignificant relative to the existing development.

The amendment to 131-41 (Commercial/industrial and multiple dwelling units) removes the requirement for a unit subdivision when they serve no purpose. Although Unit Subdivisions are permitted if desired by the owner for financing or transfer purposes, etc., they will not be required by the Town. This is consistent with the Board's previous amendment to the definition of subdivision.

If it is the pleasure of the Board I, suggest the Board call a Public hearing to consider these amendments.

123-4. Applicability. There are three possible applications of this code to development of a non-residential or multi-family site to be determined by the designee of the Board:

- The code is NOT APPLICABLE;
- The Planning Board provides a MINOR REVIEW; or
- The Planning Board provides a FULL REVIEW.

The following criteria specify the level of review necessary for a proposal to develop a commercial or multi-family site:

- A. Not Applicable. The determination of "not applicable" by the designee of the Board shall mean that no site plan review approval is necessary, although other types of approvals or permits may be necessary per other municipal codes and an application shall be kept on file. The Site Plan Review Regulations shall be deemed not applicable for the following:
1. Temporary events which require no permanent alterations to the site and which function safely within the approved configuration of the site as determined by designee of the Board; or
 2. Special events approved by the Board of Selectmen.
 3. Agricultural buildings as defined in the Town of Conway Zoning Ordinance (§147-6 Definitions).
 4. Small undertakings where it is demonstrated that:
 - (a) All proposed changes to the structure and/or site conform to all other applicable codes and reasonably conform to the site design standards of this Chapter;
 - (b) Proposed changes do not increase the intensity of use on the site beyond the service capacity of existing on-site infrastructure (including but not limited to parking, traffic generation and septic loading);
 - (c) Any net reduction in greenspace on the lot is less than or equal to 200 square feet;
 - (d) Any increase in structure floor space is less than or equal to 100 square feet; and
 - (e) This subsection (§123-4. A. 4.) shall not be applied more than twice before a Minor or Major Review by the Planning Board is required so that cumulative impacts can be evaluated in a public forum.
 5. Where the Planning Board finds that the change of use and/or physical changes to the site are insignificant relative to the existing development.
- B. Minor Review. A Minor Review by the Planning Board shall be required for any development that does not qualify to be "not applicable" or "full review."
- C. Full Review. A Full Review by the Planning Board shall be required for the following:
1. Establishment of non-residential use where no non-residential use currently exists;
 2. Establishment of multi-family use where no multi-family use currently exists;
 3. Reduction in greenspace on the lot exceeds 1,000 square feet; or
 4. The increase in structure floor space exceeds 1,000 square feet or 25% of existing floor space, whichever is more restrictive.

131-41. Commercial/industrial and multiple-dwelling units. [Amended 5/89]

Each building used for commercial/industrial purposes without dwelling units shall be considered a single unit. In a building containing both commercial/industrial and dwelling units, each dwelling unit shall be counted as one (1) unit, and all of the commercial/industrial occupants shall be counted as one (1) unit. ~~The development of two (2) or more units on a single lot constitutes a subdivision and will require application of the subdivision regulations.~~ In a proposed development of mixed commercial and residential uses, there shall be adequate lot size to accommodate any existing structures and uses, required parking areas, septic areas and required greenspace prior to calculating the available acreage balance for additional units.

MEMO

To: Sheila Duane, Chairperson - Conway Planning Board
Copy: Thomas Irving, Planning Director - Conway Planning Board
Ted Austin, General Manager - Cranmore Mountain Resort
From: Burr Phillips, HE Bergeron Engineers
Re: Magic (Penguin) Carpet Surface Lift
Date: 2/24/03

This memo is to provide a bit more background on the Magic Carpet lift for which Andrew Manning attended the February 13th, 2003 planning board meeting. Please share it with the other board members and consider it in the decision whether or not enforcement of the site plan regulations is necessary.

1. On September 27th, 2002, Cranmore Mountain Resort (CMR) submitted an *Application for Building Permit* to the building inspector. See attached copy.
2. On or near the first of December, CMR installed the new surface lift because it needed to be installed before the ski area opened for the season.
3. On December 17th the building inspector sent a letter to CMR stating the building permit application was being returned and requesting CMR to contact the planning director because he has questions. See attached copy.
4. On January 3rd, 2003, the building inspector sent a letter to CMR suggesting they attend a conceptual hearing with the planning board "to see whether they (planning board) want a full or minor site plan review".
5. Between January 3rd and January 27th:
 - CMR contacted HEB to assist them in this matter
 - I contacted the planning director. He initially recommended filing a site plan application with a long waiver attached. Realizing, in this instance, site plan review would not provide benefit to anybody, and noting the number of abutters to contact, I suggested attending a conceptual review to determine whether site plan review would be required at all. The planning director concurred.
6. On January 27th, HEB sent a letter to the planning director requesting to be put on the February 13th planning board agenda.
7. On February 13th, Andrew Manning of HEB attended the planning board meeting on behalf of CMR.

In contrast to some of the discussions at the planning board meeting, and that reported in the local newspaper, CMR did file a building permit application and was trying to follow the proper channels. Obviously, the timing of the lift installation was also critical issue to CMR.

Again, I hope the board will take this information into consideration when reviewing issue. Thank you.

APPLICATION FOR A BUILDING PERMIT
 BUILDING INSPECTOR
 447-3855

SHEET _____
 MAP _____
 PARCEL _____

PERMIT ISSUED _____
 NUMBER _____
 BY _____
 FEE _____ CASH _____
 CK# & NAME _____

STOP! This is not a building permit.
 Work shall not proceed until a numbered permit has been issued.

OWNER OF PROPERTY CRAWMORE MOUNTAIN RESORT PHONE 603-356-8500
 APPLICANT TED Austin (GM) / HAMMON FRASERS (Ops DIRECTOR) PHONE 603-356-8500
 PROPERTY LOCATION PO BOX 1690 - 1 SKIMOBILE ROAD, NORTH CONWAY, NH 03761
 CONWAY VILLAGE FIRE DISTRICT _____ NORTH CONWAY WATER PRECINCT _____
 KEARSARGE LIGHTING _____ SHORELINE PROTECTION _____ FLOODPLAIN _____
 CONTRACTOR CRAWMORE MOUNTAIN RESORT TOWN OF CONWAY REGISTRATION # _____
 PLUMBERS NAME _____ PLUMBERS LICENSE # _____
 ELECTRICIANS NAME ROYAL ELECTRIC ELECTRICIANS LICENSE # 115C
 SEPTIC SYSTEM APPROVAL # _____ ENERGY CODE APPROVAL # _____

BOCA USE GROUP: _____
 Is this presently, or will it become, rental property? No
 REASON FOR PERMIT: NEW HOME _____ SHED _____ GARAGE _____ DECK _____ POOL _____
 *REMODEL _____ DEMO _____ MOBILE HOME _____ *OTHER -> SKI LIFT _____
 *If a "remodel", is this a non-conforming structure: Yes _____ No _____
 SIZE OF STRUCTURE 250' A Long EXPECTED DATE OF COMPLETION 11/15/2007

WRITTEN DESCRIPTION OF PROJECT (BE SPECIFIC): INSTALLATION OF A 250' CONVEYOR LIFT AT CRAWMORE MOUNTAIN RESORT. THE LIFT IS MANUFACTURED BY PIGGIE LIFTING CONSTRUCTION AND WILL BE INSTALLED BY CRAWMORE MOUNTAIN RESORT TO MEET EXISTING ANSI CODE STANDARDS.
 (PLEASE PROVIDE A SCALE DRAWING OF THE PROPOSED CONSTRUCTION ON THE BACK OF SUBMIT ARCHITECT ENGINEERS PLAN AND SPECIFICATIONS)

NOTE:
 For new structures or footprint expansions, a general plot plan showing the location of building or work area in relation to property lines, including location of driveway and road must be provided. For all projects, a floor plan, building elevation and building cross section must be provided.

I hereby agree to comply with the Zoning Ordinance, Driveway Permit, Flood Plain Ordinance, Selectmen's Town Road Specifications, underground utility installation (if subdivision) and other requirements in effect in the Town of Conway, per Page 2 hereof, at date of application.

I hereby certify, under penalty of perjury, that the estimated cost of construction, alteration or remodeling (including labor and materials) is \$ 33,000.

Date 27 SEPTEMBER 2007 Signed: CRAWMORE Mtn. Resort - Ham Frasers (Ops.) (Owner)
[Signature] (Contractor)

REQUIRED SIGNATURES FOR A BUILDING PERMIT

FIRE CHIEF Patrick Perna SITE PLAN _____
 SUBDIVISION _____
 ZONING OFFICIAL _____
 PRECINCT - WATER & SEWAGE N/A PRECINCT - LIGHTING N/A
 DRIVEWAY PERMIT _____
 DREDGE, FILL, WETLANDS AND FLOOD PLAIN PERMITS _____

TYPE OF CONSTRUCTION:

<u>FOUNDATION</u>	<u>BASEMENT</u>	<u>EXTERIOR WALLS</u>	<u>INSULATION</u>	<u>INTERIOR FINISH</u>
<input checked="" type="checkbox"/> Concrete	<input type="checkbox"/> Full	<input type="checkbox"/> Clapboard	<input type="checkbox"/> Foundation	<input type="checkbox"/> Drywall
<input type="checkbox"/> Cem. Block	<input type="checkbox"/> 1/2	<input type="checkbox"/> Wood Shingles	<input type="checkbox"/> Walls	<input type="checkbox"/> Plaster
<input type="checkbox"/> Stone	<input type="checkbox"/> None	<input type="checkbox"/> Stucco	<input type="checkbox"/> Roof	<input type="checkbox"/> Paneling
<input type="checkbox"/> Piers	<input type="checkbox"/> Finished	<input type="checkbox"/> Brick	<input type="checkbox"/> Attic	<input type="checkbox"/> Knotty Pine
<input checked="" type="checkbox"/> Slab	<input type="checkbox"/> Basement	<input type="checkbox"/> Alum		
		<input type="checkbox"/> Vinyl		
		<input type="checkbox"/> T-111		
		<input type="checkbox"/> Log		
<u>HEATING</u>		<u>PLUMBING</u>	<u>FINISHED FLOORING MATERIAL</u>	
<input type="checkbox"/> Electrical Heat		<input type="checkbox"/> # Bathrooms	<input type="checkbox"/> Basement	
<input type="checkbox"/> Hot Water Heat		<input type="checkbox"/> Laundry Room	<input type="checkbox"/> 1st Floor	
<input type="checkbox"/> Steam Heat		<input type="checkbox"/> # Kitchen sinks	<input type="checkbox"/> 2nd Floor	
<input type="checkbox"/> Hot Air		<input type="checkbox"/> Disposal	<input type="checkbox"/> 3rd Floor	
<input type="checkbox"/> # Fireplaces				
<input type="checkbox"/> # Wood Stoves		<u>ELECTRICAL</u>		
<input type="checkbox"/> Solar Heat		<u>SIZE & TYPE OF SERVICE</u>		
<input type="checkbox"/> No Heat		<u>14.2 Horsepower, 1480 3-PHASE</u>		

ENERGY CODE CONSERVATION RECOMMENDATIONS

It is recommended by the Building Department that the following guidelines be followed in the construction of a single- and two-family house:

- * Walls to be constructed using 2x6 studs
- * Walls should have an insulation R Factor of .18.
Roof and ceilings should have an R Factor of 30.
- * Glass area should not exceed 13% of the wall area when using double glazed windows and doors and 20% of the total wall area when using triple glazed windows and doors. It is not recommended that single glazed windows and doors be used.

27 SEPTEMBER 2007
Date

I, Harriet Flandin (Director of Operations), representing Chatham Mountain Resort
(Signature of builder or contractor)
do hereby certify on this date 27 September 2007 that all energy related components and systems installed in the structure located at Chatham Mtn. Resort (Map Parcel _____) meet or exceed the standards of the New Hampshire Energy Code with amendments effective June 1, 1986. Any person who violates the provisions of the Energy Code shall be guilty of a misdemeanor.

NOTICE
PROPERTY OWNERS/BUILDERS

There are numerous state and local laws and ordinances which may apply when properties are being newly constructed, altered or demolished. In an effort to avoid any future difficulties we ask that you consider the following:

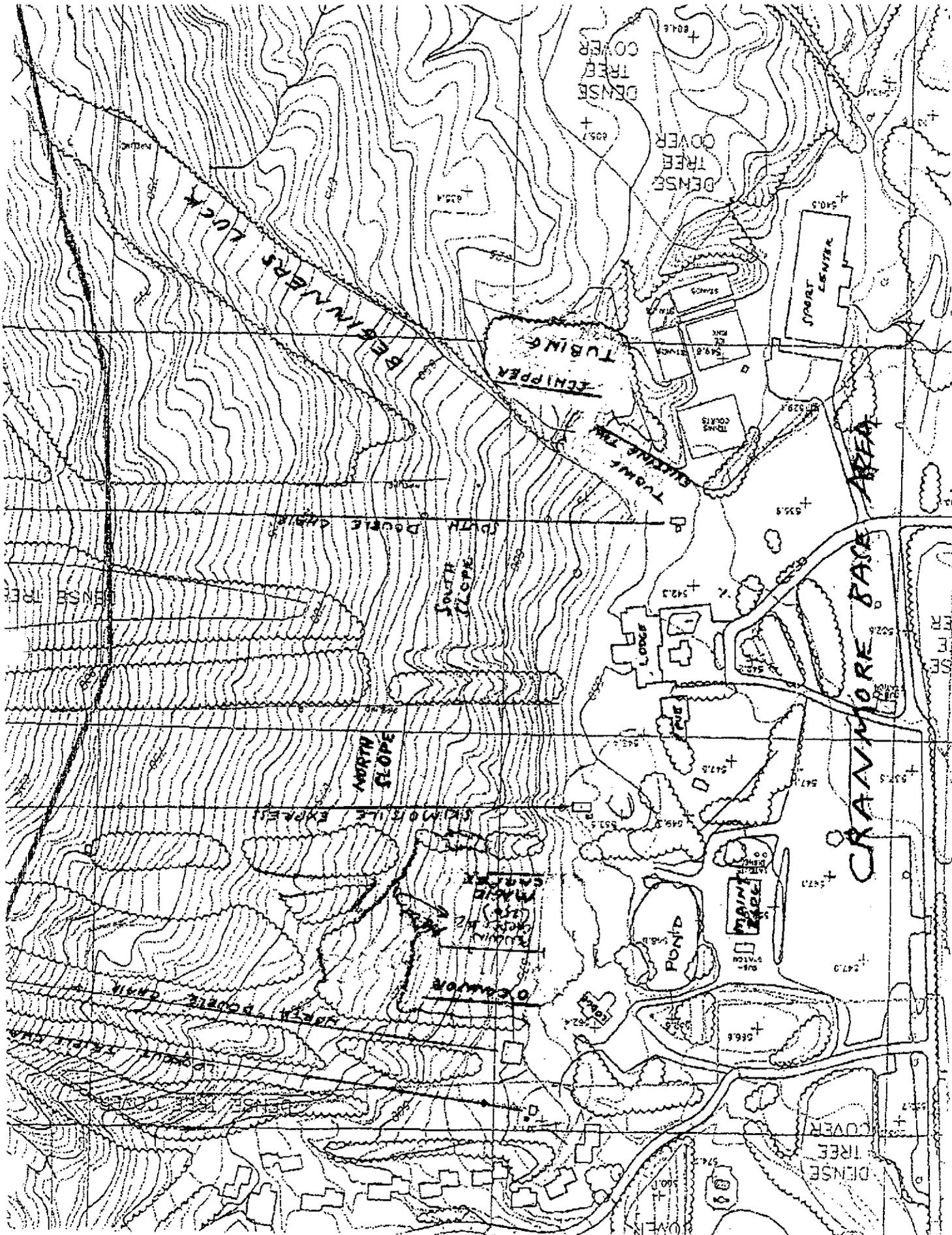
- a) Compliance with Building Permit, Change of Use and Certificate of Compliance Ordinance
- b) Compliance with Zoning Ordinance (also Kearsarge Zoning Ordinance, where applicable)
- c) Compliance with Flood Plain Ordinance
- d) Compliance with Mobile Home Ordinance
- e) Compliance with Sign Ordinance
- f) Compliance with regulation of State Air Pollution and/or Water Pollution Commissions (including sewerage permits)
- g) Driveway Permits
- h) Building Height requirements
- i) Compliance with Planning Board Subdivision Regulations
- j) Energy Code Requirements

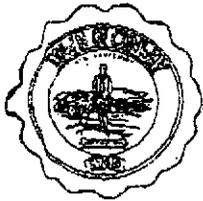
The above list is not all inclusive, but only highlights a number of more obvious regulations with which you may have to comply.

R.S.A. 153:1 through 10a requires smoke detectors for residential units.
R.S.A. 676:11 through 19 inclusive is enabling state legislation for Building Permits.
Chapters 88 through 91 inclusive is enabling legislation for Building Permits.

BUILDING PERMIT IS VALID FOR ONE (1) YEAR FROM THE DATE OF ISSUANCE.

THIS APPLICATION DOES NOT CONSTITUTE RIGHT TO BEGIN WORK.





TOWN OF CONWAY

1634 EAST MAIN ST. • CTR. CONWAY, NEW HAMPSHIRE 03813

(603) 447-3835

FAX (603) 447-5012

December 17, 2002

Mount Cranmore Ski Resort
Attn: Ted Austin
P.O. Box 1640
North Conway, NH 03860

Dear Ted,

I am returning your applications for three building permits. In reviewing them with Thomas Irving, Town Planner for the Town of Conway, he has questions and concerns regarding your new chair lifts and the one that you are moving. If you could, please give Tom a call at the Town Office-356-3855. He would like to discuss what could be done in order to give you the Building Permits.

(142)

Sincerely,

David P. Pandora
Building Inspector
Town of Conway
1634 East Main Street
Center Conway, NH 03813



TOWN OF CONWAY

1634 EAST MAIN ST. • CTR. CONWAY, NEW HAMPSHIRE 03813

(603) 447-3855

FAX (603) 447-8012

January 3, 2003

To: Mt. Cranmore Ski Resort
PO Box 1640
North Conway, NH 03860
Map 214 Parcel 84

Ref: Building Permits for Lifts.

Atten: Jim

Jim, in reference to our discussion on January 2, 2003 as I indicated I have no problem with the issuance of these permits other than I need Thomas Irving's signature of acceptance representing compliance with the Conway zoning and site plan regulations for this project.

Mr. Irving has informed me that he needs more information demonstrating better the location of these units, square footage of the units or the amount of green space reduction surrounding the areas in question etc.

My recommendation would be to prepare or have prepared a site plan showing as much detail as possible and take this to the planning board for a conceptual hearing. This will allow you first hand to see whether they want a full or minor site plan review.

Feel free to call me with any questions, however any questions addressed directly to Mr. Irving would save the middleman translation in this matter.

Respectfully Submitted
Town of Conway Building Inspector
David S. Pandora