

CONWAY PLANNING BOARD

MINUTES

MARCH 27, 2003

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CONWAY PLANNING BOARD

MINUTES

MARCH 27, 2003

A meeting of the Conway Planning Board was held on Thursday, March 27, 2003 beginning at 7:00 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Vice Chair, Robert Drinkhall; Conrad Briggs; Brian Glynn; David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Briggs made a motion, seconded by Mr. Drinkhall, to approve the Minutes of March 13, 2003 as written. Motion unanimously carried.

RIVER RUN COMPANY – MINOR SITE PLAN REVIEW (PID 218-49) FILE #MR03-05

Ms. Duane stepped down at this time. Joe Berry and Edgar Allen appeared before the Board. Mr. Irving stated that the applicant would like to change retail space to restaurant seats. **Mr. Briggs made a motion, seconded by Mr. Robinson, to accept the application of the River Run Company for a minor site plan review as complete. Motion unanimously carried.** Mr. Irving stated that there are no changes to the exterior of the site and staff has no issues with the waiver requests.

Mr. Berry stated that we might have a difference of opinion in regard to whether or not this project needs site plan approval. Mr. Berry stated that the River Run Company came before the Board in 1992 and the Planning Board suggested it at that time to obtain a mall designation so he wouldn't have to keep coming to the Planning Board. Mr. Berry stated that that was done and it resulted in the Tarberry Building having a mall designation. Mr. Berry stated in the 1990's businesses moved in and out and they were different types of businesses. Mr. Berry stated in 2000 the House of Pizza wanted to come in and the Town Planner at that time agreed that there was a mall designation and it was allowed to change without site plan review.

Mr. Berry stated that the fire chief wanted a secondary egress from the upstairs because of the kitchen in the pizza place. Mr. Berry stated that they have received all permits for the secondary egress stairs. Mr. Berry stated that the store that had been there for approximately eight years left last year and another restaurant is opening. Mr. Berry stated that there is a Tea Room that has 10 seats. Mr. Berry stated that Mr. Irving saw an increase of intensity of use on this property and felt that with the increase of intensity of use he would have to deny the permit and then he could appeal his decision. Mr. Berry stated before the Town denied the application he wanted to bring it back to the Board to see if they would acknowledge it is a mall.

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Mr. Irving read the definition of a mall. Mr. Irving stated that that building does not meet that status. Mr. Berry stated that is where we disagree. Mr. Berry stated that there is a common entry for the other four businesses and two businesses have separate entrances. Mr. Robinson stated that there is definitely an increase of intensity. Mr. Robinson stated that he is concerned with vent hoods being visible. Mr. Briggs asked how many seats were in the pizza place. Mr. Berry stated that there weren't 46 seats. Mr. Irving stated that the pizza place was the next space over from the proposed restaurant.

Mr. Irving stated that staff is not saying this shouldn't be approved staff is saying that a site plan review is necessary and Mr. Berry is saying a site plan is not necessary. The Board and the applicant agreed to move forward with the site plan review. Mr. Glynn stated that he should step down because of a perceived conflict of interest, however, if he does there will not be a quorum. The Board and the applicant agreed that Mr. Glynn would not step down, but he would abstain from voting.

Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver requests for Articles 123-20.F. and 131-67.C.8.a. and 123-27; 123-20.F. and 131-67.C.8.b.; 123-20.F. and 131-67.C.8.f.; 123-21.A.; 123-21.E.; 123-29.A.2. and 3; 123-29.B; 123-29.D.1.; and 123-29.D.8.

Mr. Robinson made a motion, seconded by Mr. Briggs, to grant the waivers for Articles 123-20.F. and 131-67.C.8.a. and 123-27; 123-20.F. and 131-67.C.8.b.; 123-20.F. and 131-67.C.8.f.; 123-21.A.; 123-21.E.; 123-29.A.2. and 3; 123-29.B; 123-29.D.1.; and 123-29.D.8. Motion carried with Mr. Glynn abstaining from voting. Mr. Drinkhall asked for public comment; there was none.

Mr. Robinson made a motion, seconded by Mr. Briggs, to conditionally approve the minor site plan for River Run Company conditionally upon modifying the parking calculations on the plans; modifying the greenspace calculations on the plans; adding the word "proposed" to the stairway note; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval expires on April 26, 2003. Motion carried with Mr. Glynn abstaining from voting.

CENTER CONWAY BAPTIST CHURCH – FULL SITE PLAN REVIEW (PID 257-15) FILE #FR03-02

Ms. Duane rejoined the Board at this time. Edgar Allen of Thaddeus Thorne Surveys appeared before the Board. Mr. Allen explained the proposal for a 90-seat church. Mr. Allen stated that the residence would remain. Mr. Irving recommended the application be accepted as complete. **Mr. Drinkhall made a motion, seconded by Mr. Briggs, to accept the application for the Center Conway Baptist Church for a full site plan review as complete. Motion unanimously carried.**

Mr. Irving stated that the Town Engineer is speaking with the applicant's Engineer in regard to the drainage and he would not recommend approving this application until after

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the Town Engineer has completed his review. Mr. Irving stated that a waiver for underground utilities was submitted tonight, which staff would not recommend the Board granting. Mr. Irving stated that the Board should also not act on the tree waiver as the drainage may effect the landscaping. Mr. Briggs stated that he does not support the underground utilities waiver.

Mr. Irving asked if the applicant wanted to withdraw the waiver request. Eric Ness stated that this is an existing building. Mr. Irving stated that this is a change-of-use, therefore, underground utilities are required. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to continue the Full Site Plan Review for the Center Conway Baptist Church until April 10, 2003. Motion unanimously carried.**

PUBLIC HEARING TO AMEND ARTICLE 123-4 OF THE SITE PLAN REVIEW REGULATIONS

A public hearing was opened at 7:34 p.m. Mr. Irving stated that the intent and purpose of this change is for those infrequent, but strange, situations when the regulations require a full site plan, but its seems silly compared to what else is on the site. Mr. Irving stated that this would be used very sparingly. Ms. Duane asked for public comment; there was none. The public hearing was closed at 7:36 p.m. Mr. Robinson stated that it adds flexibility where it is needed. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to adopt the amendment to Article 123-4 as proposed. Motion unanimously carried.**

PUBLIC HEARING TO AMEND ARTICLE 131-41 OF THE SUBDIVISION REGULATIONS

A public hearing was opened at 7:39 p.m. Mr. Irving stated that there was an amendment a while ago that would not require apartment buildings to go through a unit subdivision and Article 131-41 contradicts that amendment. Mr. Irving stated that this is a housekeeping matter. Ms. Duane asked for public comment; there was none. The public hearing was closed at 7:41 p.m. **Mr. Robinson made a motion, seconded by Mr. Glynn, to adopt the amendment to Article 131-41 as proposed. Motion unanimously carried.**

OTHER BUSINESS

Bellevue Properties (North Conway Grand Hotel) – Extension of Conditional Approval (PID 235-97 & 98) File #FR03-01: Mr. Irving stated that the applicant is requesting the conditional approval be extended for one year. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to extend the conditional approval until the last public hearing in March 2004 [March 23, 2004]. Motion unanimously carried.**

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Thomas Fadden and Vicki Graves – Extension of Conditional Approval (PID 255-5.1) File #S02-08: Mr. Robinson made a motion, seconded by Mr. Briggs, to extend the conditional approval until June 26, 2003. Motion unanimously carried.

White Mountain Bioprogressive – Plans Signed (PID 218-66) File #MR03-02: The Board agreed the conditions had been met and the plans were signed.

Master Plan: Mr. Irving stated that he would like to set up a Master Plan Workshop for April 3, 2003 at 3:00 p.m. The Board agreed. Mr. Briggs asked about a vision statement. Mr. Irving stated that it is in the first chapter and not a separate chapter. Mr. Briggs stated that he would like to see it separate. Mr. Irving stated that he would look into it.

Fryeburg New Church Assembly – Lot Merger (PID 256-15 & 16): Mr. Briggs made a motion, seconded by Mr. Glynn, to merge lots 256-15 and 256-16 which are owned by the Fryeburg New Church Assembly. Motion unanimously carried.

Meeting adjourned at 7:57 p.m.

Respectfully Submitted,

Holly L. Meserve
Recording Secretary

adopted:
March 27, 2003

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. Unless deemed not applicable pursuant to 123-4.A.5., 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.

adopted:
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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.



TOWN OF CONWAY

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

(603) 447-3855

FAX (603) 447-5012

MEMO

TO: Earl W. Sires, Town Manager

FROM: Tom Irving, Planning Director

CC: PB, HM, PD, file

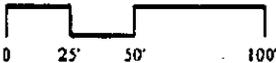
DATE: 03/20/03

RE: Norcross Circle

Message:

On behalf of the Planning Board, please find the attached conceptual drawing that was produced during the master planning process. The drawing illustrates a modification of the parking facilities on Norcross circle surrounding Schouler Park. It also suggests a modification of the traffic pattern. It is proposed that these adjustments will increase the number of public parking spaces in the Village and improve traffic flow. Sixty or more parking spaces could be provided on Norcross Circle. And the confusion that exists in front of the old post office building can be reduced. This can be accomplished with re-striping and directional signage. The costs would be limited paint and a few signs.

The Planning Board requests that the Board of Selectmen consider taking the necessary actions to effect these changes. Clearly this would include consulting with the N.C. Fire Department, the Conway PD, NH DOT, town staff, any holders of interest in the ROW and property owners abutting Norcross Circle. The Planning Director and the Director of Public Works concur that this initiative is worthy of consideration.



Post Office

Landfall

Train Station

4' Median

Additional parking if space permits

Bus Drop-Off



18' 10' 14' 18'

New 90° Parking

Fire Station

Norcross Circle

Main Street



ray