

CONWAY PLANNING BOARD

MINUTES

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CONWAY PLANNING BOARD

MINUTES

JULY 24, 2003

A meeting of the Conway Planning Board was held on Thursday, July 24, 2003 beginning at 7:00 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Acting Chair, Robert Drinkhall; Secretary, Brian Glynn; Conrad Briggs; Martha Tobin; David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Briggs made a motion, seconded by Ms. Tobin, to approve the Minutes of July 10, 2003 as written. Motion unanimously carried.

LEE FAMILY ENTERPRISES, LLC/CLIFFSIDE RESTAURANT – MINOR SITE PLAN REVIEW (PID 217-24) FILE #MR03-07

Mark Lucy of White Mountain Survey Company and Norman Lee, owner, appeared before the Board. Mr. Lucy stated that the applicant would like to add to the building to upgrade the kitchen, dining area and a new entryway. Mr. Lucy stated that they have tried to make the site more conforming. Mr. Lucy stated that it has been this use in this location for 30-years.

Mr. Briggs made a motion, seconded by Mr. Glynn, to accept the application of the Lee Family Enterprises LLC/Cliffside Restaurant for a minor site plan review as complete. Motion unanimously carried.

Mr. Lee stated that two of the apartments were converted to a mechanical room and an office; therefore, there are only four apartments and not six. Mr. Irving stated that the plans would need to be updated to indicate only four apartments and the parking calculations revised. Mr. Irving reviewed his staff report in regard to the Town Engineer's concerns.

Mr. Lucy stated that the northerly right-of-way at Justamere Road is the issue and we have done extensive research and have referenced the research on the plans. Mr. Lucy stated that they have determined that reference 3 is correct due to physical evidence and they have relied on the plan referred to in reference 3.

Mr. Lucy stated that it is Mr. DegliAngeli's contention that there is fence line on the southerly portion of Justamere Road and if you measure from the fence line 50-feet that is where the right-of-way line lies. Mr. Lucy stated that he does not know if the fence line is the right-of-way line, as they did not survey that land. Mr. Lucy stated that Article 123-5.B. does not require the plan to be done by a licensed surveyor; however, the

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applicant has chosen to have it done by a surveyor. Mr. Glynn asked what is the what is the difference between the two right-of-way lines. Mr. Irving answered six feet.

Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver requests for Articles 123-20.C. Mr. Lucy stated that there are currently three curb cuts on the West Side Road. Mr. Lucy stated that the applicant is closing one and would like two to remain in order to have one for patrons and one for service and tenants. **Mr. Briggs made a motion, seconded by Mr. Robinson, to grant the waiver request for Article 123-20.C. Motion unanimously carried.** Mr. Irving asked if the Board would like the driveways signed. The Board agreed that they didn't want anymore signs.

Mr. Drinkhall read the waiver request for Article 123-22.B. Ms. Tobin stated that she does not see it necessary to pave the parking lot as it works fine just the way it is. **Ms. Tobin made a motion, seconded by Mr. Glynn, to grant the waiver request for Article 123-22.B. Motion unanimously carried.**

Mr. Drinkhall read Article 123-26. **Mr. Briggs made a motion, seconded by Ms. Tobin, to grant the wavier request for Article 123-26. Motion carried with Mr. Robinson voting in the negative.**

Mr. Drinkhall read a waiver request for Article 123-36.B. Mr. Lee stated that they recently constructed new septic fields under the parking lot and they want to have some experience with the septic field to make sure nothing goes wrong. Mr. Lee stated that they intend to pave in a few years. **Mr. Robinson made a motion, seconded by Mr. Glynn, to grant the waiver requests for Article 123-36.B. Motion unanimously carried.**

Mr. Irving asked about street trees. The applicant agreed to put street trees along West Side Road and Justamere Road.

Mr. Robinson made a motion, seconded by Mr. Glynn, to conditionally approve the Minor Site Plan for Lee Family Enterprises, LLC/Cliffside Restaurant conditionally upon amending the number of dwelling units on the plans; revising the parking calculations on the plans; locating street trees along West Side Road and Justamere Road on the plans; submission of a signed license agreement between the Board of Selectmen and the property owner for the existing sign; satisfying Town Engineer in regard to the Justamere Road right-of-way; amending granted waivers on the plans; a performance guarantee for all site improvements; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval expires on October 23, 2003. Motion unanimously carried.

OTHER BUSINESS

Transportation Enhancement Application for Conway Village Streetscape: John Wacker explained the proposed upgrades to Conway Village from Kennett High School to the Conway Library. Mr. Wacker stated that they are submitting a Transportation

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Enhancement application and asked if the Board would support the project. **Ms. Tobin made a motion, seconded by Mr. Glynn, to endorse the project. Motion unanimously carried.**

Roger Jones/North Conway Lumber Site (PID 219-204): Roger Jones appeared before the Board. Mr. Jones stated that he has been remodeling the former North Conway Lumber for approximately a year and a half into office space. Mr. Jones stated approximately a year ago the State removed 23,000 square feet of building. Mr. Jones stated that they would like to construct a 20x70 concrete pad with a deck above it, but not to be enclosed. Mr. Jones stated that they would also like to construct an 18x24 building to be vinyl sided and have windows on the back for the dumpster and recyclables. Mr. Jones stated beyond those two items if there is anything else then they would submit a site plan review.

Mr. Irving read Articles 123-4.A.(4) and 123-4.C. Mr. Briggs stated that he has done a nice job on the office building, but there is no excuse to ignore the rules. Mr. Jones stated that he didn't think he had disregarded any rule. Mr. Jones stated that they tore down 23,000 square feet of building and didn't think it was a big deal to replace it with an 18x24 building. Mr. Jones stated that it is the same as Wal-Mart's new concrete patio. Mr. Glynn stated that Wal-Mart came in for a site plan. Mr. Jones stated that he did not realize he was doing anything wrong. Mr. Jones stated that the canoe building is coming down and they will be before the Board at some point with another building.

Mr. Glynn motion, seconded by Mr. Briggs, that the proposed 18x24 building and 20x70 concrete pad would require a minor site plan review. Motion unanimously carried.

Thomas Fadden/Vicki Graves (PID 255-5.1) File #S02-08 – Extension of Conditional Approval: Mr. Briggs made a motion, seconded by Ms. Tobin, to extend the 3-lot Subdivision for Thomas Fadden and Vicki Graves for 90-days [October 23, 2003]. Motion unanimously carried.

Gerald F. Blake/Charles Robbins (PID 246-51) File #FR01-10 – Revocation of Approval: Mr. Briggs made a motion, seconded by Mr. Glynn, to revoke the approval for a 2,800 square foot gas station/retail store at 102 North South Road granted to Gerald F. Blake and Charles Robbins on 12/13/2001 without prejudice. Motion unanimously carried.

Nearledge Condominium Development (PID 201-10.006, .013 & .014): Mr. Glynn made a motion, seconded by Mr. Briggs, to sign as-built plans for Units 6, 13 & 14. Motion carried with Mr. Robinson abstaining from voting.

Committee Reports:

Housing Committee: Mr. Robinson stated that he was unable to make the last housing committee meeting.

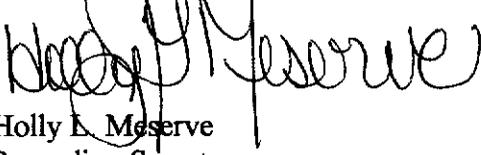
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Citizen Design Review Committee: Mr. Glynn stated that there has been nothing going on with the Citizen Design Review Committee.

Ordinance Re-Write: Mr. Irving gave each Board member a district to review and make comments on.

Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Holly L. Meserve". The signature is written in a cursive style with a large, stylized initial "H".

Holly L. Meserve
Recording Secretary



TOWN OF CONWAY

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

(603) 447-3855

FAX (603) 447-5012

North Country Council
Michael King, Executive Director
The Cottage at the Rocks
107 Glessner Road
Bethlehem, NH 03574

RE: Transportation Enhancement Application for Conway Village Streetscape

Dear Mr. King:

Please accept this letter as our support and endorsement of the above referenced application. Conway Village has long been in need of a mainstreet enhancement project. The town has recently completed a comprehensive master plan in which a major goal is to refocus on the villages - the proposed streetscape plan would be a significant step in that direction for the town. We believe the Conway Village plan enhances the community by encouraging the residents and local business people to walk along the sidewalks and interact with their neighbors.

It is important to realize that Conway Village is a gateway to the Mount Washington Valley, an area steeped in natural beauty. Many tourists and residents are here because of the views and atmosphere created by the scenic highways and the villages. We believe the proposed streetscape plan will add to this experience.

We wholeheartedly support the Conway Village project and hope you will look upon the application favorably.

Sincerely,

Town of Conway
Office of the Building Inspector
1634 East Main Street
Center Conway, NH 03813
Phone 1-603-447-3855

July 24, 2003

To: Conway Planning Board

Re: Construction without a permit.
North Conway Lumber
PO Box 361
North Conway, NH 03860

Map 219 Parcel 204

I would like to address the issue of the structure on the above-mentioned site that is being constructed without proper permitting. Sheila Duane, Roger Jones and myself met at this site the week of July 10, 2003 to discuss this matter, as I explained to them in order for me to issue a permit for this construction, I am required to have a signature from the planning board or their agent Thomas Irving.

Without the authorized signature I will be left with no choice but to issue a Stop Work order for any construction not approved.

I want to emphasize my need for an answer from either the planning Board or their agent (Thomas Irving) as to the issuance of the building permit.

If no authorization is given at this meeting (7/24/2003) I will have to issue a stop work order immediately on this portion of the construction.

I await your decision in this matter.

Respectfully Submitted
Town of Conway Building Inspector
David S. Pandora



Note: PID 219-204

APPROVED

JAN 28 2003

TOWN OF CONWAY
NEW HAMPSHIRE

APPLICATION FOR A
BUILDING PERMIT

BUILDING INSPECTOR
447-3855

MAP 219
PARCEL 204

PERMIT ISSUED 1-28-03
NUMBER B-219
BY [Signature]
FEE 60 CASH
CK# & NAME Antony's Truck
5569

Please be advised that this is not a building permit. This is your application and work shall not proceed until a numbered permit has been issued.

OWNER OF PROPERTY No. Conway Lumber PHONE _____

APPLICANT Roger Jones PHONE 356-6391

PROPERTY LOCATION 2541 White Mt Hwy

CONTRACTOR Roger Jones TOWN OF CONWAY REGISTRATION # _____
PLUMBERS NAME Tim Sargent PLUMBERS LICENSE # 2716
ELECTRICIANS NAME Dave Venc ELECTRICIANS # 1886
SEPTIC SYSTEM APPROVAL # N/A ENERGY CODE APPROVAL # _____

REASON FOR PERMIT:

NEW HOME _____ ADDITION _____ GARAGE _____ DECK _____ POOL _____
MOBILE HOME _____ *REMODEL ✓ ROOFING _____ SHED _____ DEMO _____
SIDING _____

*If a "remodel", is this a non-conforming structure: Yes _____ No _____
Is this presently, or will it become, rental property? _____

SIZE OF STRUCTURE _____ EXPECTED DATE OF COMPLETION _____

WRITTEN DESCRIPTION OF PROJECT (BE SPECIFIC): INTERIOR REMODEL
INTERIOR PARTITIONS FOR RETAIL & OFFICE SPACE
AS EXISTING.
Adding windows to North Side. ALSO NEW
1 CLAPBOARD Vinyl Siding.
NO FOOT PRINT CHANGE! RELOCATE BATHS.

(PLEASE PROVIDE A SCALE DRAWING OF THE PROPOSED CONSTRUCTION ON THE BACK OR SUBMIT ARCHITECT/ENGINEERS PLAN AND SPECIFICATIONS)

NOTE: RETAIL & OFFICE!
For new structures or footprint expansions, a general plot plan showing the location of the building or work area in relation to property lines, including location of driveway and roads 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 any other requirements in effect in the Town of Conway, per Page 2 hereof, at date of this application.

I hereby certify, under penalty of perjury, that the estimated cost of construction, alteration or remodeling (including labor and materials) is \$ 25,000.00.

X Date _____ Signed: see attached (Owner)
Date 1/27/03 Signed: [Signature] (Contractor)

REQUIRED SIGNATURES FOR A BUILDING PERMIT

* FIRE CHIEF [Signature] SUBDIVISION N/A
ZONING OFFICIAL [Signature] SITE PLAN N/A
KEARSARGE LIGHTING _____ PRECINCT-H₂O/SEWER _____
DRIVEWAY PERMIT _____ SHORELINE _____
DREDGE/FILL/WETLANDS/FLOOD PLAN PERMITS _____

219 204