

CONWAY PLANNING BOARD

MINUTES

AUGUST 14, 2003

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CONWAY PLANNING BOARD

MINUTES

AUGUST 14, 2003

A meeting of the Conway Planning Board was held on Thursday, August 14, 2003 beginning at 7:06 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Vice Chair, Robert Drinkhall; Secretary, Brian Glynn; Conrad Briggs; David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Holly L. Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Briggs made a motion, seconded by Mr. Glynn, to approve the Minutes of July 24, 2003 as written. Motion carried with Ms. Duane abstained from voting.

NORTH CONWAY RETIREMENT COMMUNITY VILLAGE LLC/NORTH DEVELOPMENT LLC – REVOCATION OF CONDITIONAL APPROVAL (PID 246-23) – FILE #ER00-08 & S00-05

Mr. Irving stated that the conditional approval expired on July 13, 2003 without the conditions being satisfied. Mr. Irving stated that we have not received any feedback to our letters from the previous owners or the current owners. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to deny the approval for the North Conway Retirement Community Village LLC/North Development LLC without prejudice because the conditions have not been satisfied. Ms. Duane asked for public comment; there was none. Motion unanimously carried.**

RALPH AND MARILYN SHIRLEY/ERNEST AND BETTY GERRY/SUZANNE B. CROWLEY REVOCABLE TRUST (PID 240-1 & 7) FILE #S03-15

Diane Smith of Thaddeus Thorne Surveys appeared before the Board. Ms. Smith stated that this application was conditionally approved on June 26, 2003, but the woods road was not located correctly on the plan. Ms. Smith stated that the applicants agreed that the new property line would be along the woods road. **Mr. Drinkhall made a motion, seconded by Mr. Briggs, to accept the application of Ralph and Marilyn Shirley/Ernest and Betty Gerry/Suzanne B. Crowley Revocable Trust for a boundary line adjustment as complete. Motion unanimously carried.**

Mr. Irving stated with the change in the woods road there was a change is approximately .61 of an acre, which required this application to come back before the Board. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to reaffirm all waivers that were granted under the previous application [S03-13]. Motion unanimously carried.**

Ms. Duane asked for public comment; Richard Gertz reviewed the plans. **Mr. Drinkhall made a motion, seconded by Mr. Glynn, to approve the Boundary Line Adjustment for Ralph**

**Adopted: August 28, 2003 – As Amended
CONWAY PLANNING BOARD – AUGUST 14, 2003**

and Marilyn Shirley and Ernest and Betty Gerry and the Suzanne B. Crowley Revocable Trust. Motion unanimously carried. The plans were signed.

PAUL AND JOAN RICHARDSON/FRANK HUBBELL AND BEVERLY FRIZZELL – 2-LOT SUBDIVISION (PID 276-138) FILE #S03-16

Doug Burnell of H.E. Bergeron Civil Engineers, Frank Hubbell and Beverly Frizzell appeared before the Board. Mr. Burnell reviewed the plans. **Mr. Glynn made a motion, seconded by Mr. Richardson, to accept the application of Paul and Joan Richardson and Frank Hubbell and Beverly Frizzell for a Subdivision Review as complete. Motion unanimously carried.**

Ms. Duane read the requirements to grant a waiver. Ms. Duane read the waiver requests for Articles 131-24.J, 131-24.V., 131-24.T., 131-24.U.; 131-24.N., 131-24.O., 131-24.W.; and 131-37.1.A., 131-37.1.B. **Mr. Briggs made a motion, seconded by Mr. Glynn, to approve the waivers for Articles 131-24.J, 131-24.V., 131-24.T., 131-24.U.; 131-24.N., 131-24.O., 131-24.W.; and 131-37.1.A., 131-37.1.B. Motion unanimously carried.**

Ms. Duane asked for public comment; there was none. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to conditionally approve the 2-lot Subdivision for Paul and Joan Richardson and Frank Hubbell and Beverly Frizzell conditionally upon submitting a Mylar; when the condition has been met, the plans can be signed out-of-session; and the conditional approval will expire on September 11, 2003. Motion unanimously carried.**

HAROLD AND CYNTHIA GILMORE – 8-LOT SUBDIVISION (PID 243-3) FILE #S03-17

Diane Smith of Thaddeus Thorne Surveys appeared before the Board. **Mr. Briggs made a motion, seconded by Mr. Robinson, to accept the application of Harold and Cynthia Gilmore for a Subdivision Review as complete. Motion unanimously carried.**

Ms. Smith reviewed the project. Ms. Duane asked for public comment; there was none. Ms. Duane read waiver requests for Articles 131-24.N., 131-24.R., 131-24.T. and 131-67.C.8.b. **Mr. Drinkhall made a motion, seconded by Mr. Glynn, to approve the waiver requests for Articles 131-24.N., 131-24.R., 131-24.T. and 131-67.C.8.b. Motion unanimously carried.**

Ms. Duane asked for public comment; there was none. **Mr. Robinson made a motion, seconded by Mr. Glynn, to conditionally approve the 8-lot Subdivision for Harold and Cynthia Gilmore conditionally upon changing the zoning District to indicate the Wetland and Watershed Protection District; make changes to plans per the Town Engineer Memorandum dated August 14, 2003; obtaining a NHDOT Driveway Permit; a performance bond for all site improvements; submitting a Mylar; when the conditions have been met, the plans can be signed out-of-session and the conditional approval to expire on November 13, 2003. Motion unanimously carried.**

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E.J. POLIQUIN CORP./EVERGREEN ON THE SACO – 15-UNIT SUBDIVISION (3 DUPLEXES AND 9 SINGLES) (PID 265-161.3) FILE #S03-18

Mark Lucy of White Mountain Survey Company and Ed Polquin, developer, appeared before the Board. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to accept the application of E.J. Poliquin Corp./Evergreen on the Saco for a subdivision review as complete. Motion unanimously carried.** Mr. Irving stated that staff notes that there is a deficiency in the driveway regulation in regard to cluster development. Mr. Irving stated that we hope to modify the regulations in the future.

Ms. Duane asked for public comment; Catherine Hawkins, abutter, asked where this lot is located in relation to her property and is this lot serviced by municipal water. Mr. Irving stated that this lot is serviced by precinct water and will be connecting to it. Ms. Hawkins reviewed the plans. Mr. Glynn asked if the main road was going to be built to town road specifications. Mr. Irving answered in the affirmative. Mr. Irving stated that it is important to know that the driveways will not be constructed to town specifications and will not be taken over by the Town.

Ms. Duane read the waiver requests for Articles 131-24.T.; 131-67.C.8.h. and 131-66. **Mr. Drinkhall made a motion, seconded by Mr. Briggs, to grant the waivers for Articles 131-24.T.; 131-67.C.8.h. and 131-66. Motion unanimously carried.**

Mr. Briggs made a motion, seconded by Mr. Drinkhall, to approve the 15-Unit Subdivision for E.J. Poliquin Corp./Evergreen on the Saco. Motion unanimously carried. The plans were signed.

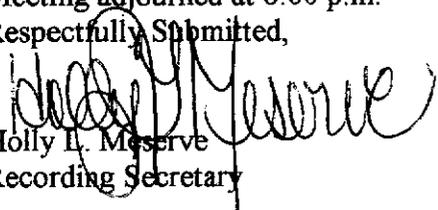
OTHER BUSINESS

The Kearsarge Inn (PID 218-127) File #NA03-09: Ms. Duane stated that they are changing the innkeepers unit to a lodging unit. Ms. Duane stated that this change results in the requirement of another .2 of a parking space. Ms. Duane stated that the owners are asking that this be considered as non-applicable. Mr. Irving stated that staff has no issue with the request. **Mr. Robinson made a motion, seconded by Mr. Glynn, to accept the change of the innkeepers unit to a lodging unit under §123-4.A.5 for the Kearsarge Inn. Motion unanimously carried.**

Roger Jones/North Conway Lumber Site (PID 219-204): Ms. Duane asked if Mr. Jones could build the stone wall around the patio on the office building before he comes to the Board with a minor review [see Minutes of July 24, 2003]. The Board stated that a site plan is necessary before there is any other work done.

Meeting adjourned at 8:00 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

NOTICE OF DECISION CONWAY PLANNING BOARD

File No.: NA03-09

Name: Kearsarge Inn LLC
Project: Change Innkeepers unit to a lodging unit
Address: P.O. Box 9, North Conway, NH 03860
Location: 42 Seavey Street, North Conway, NH
Tax Map: 218 Parcel#: 127

Based on the provisions of §123-4. A. 5., regarding applicability, changing the Innkeepers [caretakers] unit to a lodging unit is not subject to a Minor or Full Site Plan Review because it has been demonstrated that the change of use and/or physical changes to the site are insignificant relative to the existing development.

Designation: Site Plan Review Not Applicable

Decision: Approved 08/14/03

Signed:

Sheila Duane
Sheila Duane, Chair

Date:

August 15, 2003

The Kearsarge Inn

Post Office Box 9
North Conway, New Hampshire
03860

To the members of the Planning Board:

7/29/03

Per my conversation with Mr. Tom Irving regarding a (1) desired change to our approved site plan I would like to schedule a hearing date to discuss our needs with the Board and to seek the requisite official approvals and waiver for this change. The change in our site plan that we would like to make is:

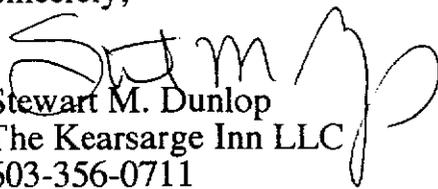
1) Change Building C from the Inn Keepers Unit to a residential unit with 2 lodging units. This would require an additional .2 of a parking space. Building B and D would remain as approved on the plan. Since we have hired an Inn Keeper who will not live on the property we no longer have a need for an Inn Keeper's residence. I regret that I made this change in the field, overlooking the .2 differential in the parking spaces. I have developed building C without consultation with the Board. This was an oversight on my part and was not done to deceive the Board. My intent is to become compliant as soon as possible per the proposed revision to the plan.

Accordingly, I am writing to request a waiver for section 123A-21 (Parking) as it pertains to the minimum spaces required per unit for a hotel, motel, or lodging house. This waiver request is based upon the need to increase our parking space by .2 of space if the change in use for Building C is approved. In reviewing the Site Plan Review Regulations, it appears that the need for an additional .2 parking could be satisfied one of two ways:

- 1) 123A-21B: Credit for Public Parking Lot.
- 2) Via an agreement with David Peterson to use parking at his adjacent property Decades Steak House.

Thank you for consideration of this request.

Sincerely,


Stewart M. Dunlop
The Kearsarge Inn LLC
603-356-0711

The Kearsarge Inn

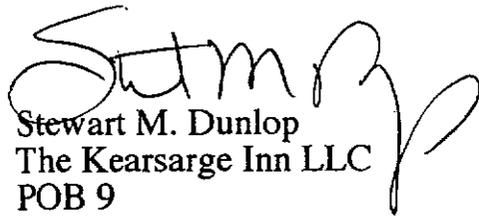
Post Office Box 9
North Conway, New Hampshire
03860

Dear Tom:

7/29/03

This is my first shot at a letter like this. Please let me know if this is what is required or not. Thanks again for your continued help and support with this project.

Sincerely,



Stewart M. Dunlop
The Kearsarge Inn LLC
POB 9
North Conway, NH 03860
603-356-0711