

CONWAY PLANNING BOARD

MINUTES

JULY 22, 2004

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CONWAY PLANNING BOARD

MINUTES

JULY 22, 2004

A meeting of the Conway Planning Board was held on Thursday, July 22, 2004 beginning at 7:00 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Conrad Briggs; Vice Chair, Martha Tobin; Secretary, Robert Drinkhall; Theodore Sares; Steven Porter; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Drinkhall made a motion, seconded by Mr. Sares, to approve the Minutes of July 8, 2004 as written. Motion carried with Ms. Tobin abstaining from voting.

BOARD COMMENTS

Mr. Briggs stated that we have had quite a few applications that have been incomplete and encouraged applicant's to work harder to submit more complete applications.

ANTHONY, DANIEL AND ERNEST GALLI – 2-LOT SUBDIVISION (PID 256-2) FILE #S04-12

Edgar Allen of Thaddeus Thorne Surveys appeared before the Board. This is an application to subdivide 7.65 acres into 2-lots. **Mr. Drinkhall made a motion, seconded by Ms. Tobin, to accept the application of Anthony, Daniel and Ernest Galli for a 2-lot subdivision as complete. Motion unanimously carried.**

Timothy and Charlotte Coombes of 9 Weston Way asked to review the plan. Mr. Irving stated that the lots are for single-family homes, but could have an accessory apartment. Mr. Irving stated an accessory apartment would require the abutters to be notified. Mr. Briggs read the requirements to grant a waiver. Mr. Briggs read the waiver requests for Articles 131-24.O. & 131-26.A.; 131-24.T.; and 131-30.E. **Mr. Drinkhall made a motion, seconded by Mr. Sares, to grant the waivers for Articles 131-24.O. & 131-26.A.; 131-24.T.; and 131-30.E. Motion unanimously carried.**

Mr. Drinkhall made a motion, seconded by Ms. Tobin, to conditionally approve the 2-lot subdivision application for Anthony, Daniel and Ernest Galli conditionally upon adding the State Subdivision Approval Number to the plans; submitting a signed Easement Deed for the driveway to be recorded; submit a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on October 14, 2004. Motion unanimously carried.

LAMPLIGHTER MOBILE HOME PARK – 5-LOT SUBDIVISION AND LOT MERGERS (PID 262-83) FILE #S04-13

Edgar Allen of Thaddeus Thorne Surveys appeared before the Board. This application is to merge lots 1 & 5, 3 & 7, 35 & 37, 81 & 82 and 91 & 92 and create five new lots. **Mr. Drinkhall made a motion, seconded by Mr. Porter, to accept the application of Lamplighters Mobile Home Park for a 5-lot subdivision and lot mergers as complete. Motion carried with Ms. Tobin abstaining from voting.**

Mr. Briggs stated that this application is proposing a second access, which is very important. Mr. Briggs stated that it would be a chained access, but it would provide emergency vehicles another access. Mr. Briggs stated that that Town has also obtained a signed trail easement for the public to use the trails. Mr. Sares asked how many lots are allowed in lamplighters. Mr. Allen answered 247. Mr. Sares asked how many lots are there now. Mr. Allen answered 228. Mr. Sares asked how many lots will exist if this application is approved. Mr. Allen answered 228.

Mr. Briggs asked for public comment; there was none. Mr. Irving stated that there are outstanding items that still need to be addressed by the applicant and suggested the application be continued. **Mr. Sares made a motion, seconded by Mr. Porter, to continue the application for Lamplighters Mobile Home Park until August 26, 2004. Motion unanimously carried.**

BRIGGS H. BUNKER/DR. MILES E. WALTZ – BOUNDARY LINE ADJUSTMENT (PID 218-69, 70 & 72) FILE #S04-14

Doug Burnell appeared before the Board. This is an application for a boundary line adjustment to add .02 of an acre to PID 218-72 (Waltz) from PID 218-69 & 70 (Bunker). **Ms. Tobin made a motion, seconded by Mr. Drinkhall, to accept the application of Briggs H. Bunker/Dr. Miles E. Waltz for a boundary line adjustment as complete. Motion unanimously carried.**

Mr. Irving stated there are no waiver requests and all requirements have been met. Mr. Briggs asked for public comment; there was none. **Mr. Sares made a motion, seconded by Ms. Tobin, to approve the Boundary Line Adjustment for Briggs H. Bunker/Dr. Miles E. Waltz. Motion unanimously carried. The plans were signed.**

LEO KILEY/LINCOLN ESTATES – 18-LOT SUBDIVISION CONTINUED (PID 259-101) FILE #S04-11

Jon Howe of Ammonoosuc Survey Company appeared before the Board. Mr. Howe stated that the applicant still needs to address drainage issues with the Town Engineer and requested that the application be continued. Mr. Irving stated that the applicant has waived the 65-day requirement. **Mr. Drinkhall made a motion, seconded by Ms. Tobin, to continue the application for Leo Kiley/Lincoln Estates until August 12, 2004.** Mr. Briggs asked for public comment; there was none. **Motion unanimously carried.**

**JAY PATEL/WINGATE INN & SUITES – FULL SITE PLAN REVIEW
CONTINUED (PID 230-1) FILE #FR04-06**

Mr. Irving stated that the applicant has requested a continuance. Mr. Sares stated that this particular company usually as a southwestern motif and asked if that would be an issue for the Board. Mr. Irving stated perhaps. Mr. Sares asked if the applicant should be forewarned. Mr. Irving stated the applicant was notified of that during their first application. **Mr. Drinkhall made a motion, seconded by Mr. Porter, to continue the application for Jay Patel/Wingate Inn & Suites until August 12, 2004. Motion unanimously carried.**

OTHER BUSINESS

Kevin and Cynthia McInerney (PID 266-127) – Conceptual Review: Shawn Bergeron and Cynthia McInerney appeared before the Board. Mr. Bergeron explained that this was a 5-lot subdivision approved in the 1980's that required the applicant to construct the proposed road to Town standards. Mr. Bergeron stated that until recently the only structure that was constructed on the site was the single-family home and garage close to Route 113. Mr. Bergeron stated that the applicant came to the Board approximately a year and a half ago and consolidated the five lots to three lots and the Board waived the requirements to construct the road to Town standards since it met the geometrical standards. Mr. Bergeron referenced Article 131-43.

Mr. Bergeron stated that the applicant would like to convert the former home to an accessory apartment; however, this would make four-units having access from the road. Mr. Bergeron stated that the work force housing standard did not exist when the applicant consolidated the lots.

Mr. Irving stated that staff does not support any additional dwelling units being added to paper roads that have not been constructed to Town road standards. Mr. Irving stated that Staff is not very fond of the regulation that allows paper roads. Mr. Irving stated that the concern is that someday these substandard roads may become Town roads.

Mr. Sares stated that he disagrees. Mr. Sares stated that there are two approaches to this; take a strict construction approach or a subjective approach. Mr. Sares stated that one mitigating factor is the Master Plan. Mr. Sares read from page 1-4 of the Master Plan [Primary Objectives under Housing Goal].

Mr. Sares read from page 3-14 of the Master Plan [the first paragraph under Housing Supply and Construction Trends]. Mr. Sares read from page 4-2 of the Master Plan [“Collectively, about 92%...higher than the state average”]. Mr. Sares stated that this is a service community with low paying jobs, which requires people to work multiple jobs. Mr. Sares stated that the road meets the geometrical requirements and the spirit of the Master Plan. Mr. Sares stated that he likes the idea. Mr. Briggs stated that that is a very good point on one side, but it is breaking precedent.

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Mr. Drinkhall asked how many bedrooms. Ms. McInerney answered 1-bedroom. Mr. Drinkhall asked the rate of rent. After a brief discussion, Ms. McInerney stated approximately 400-500 a month. Mr. Irving stated he would agree to Mr. Sares point if it were on a Town road.

Mr. Sares stated the Board needs to be careful on precedent. Mr. Sares stated if you look at the unusual circumstances of this project, they are somewhat different and don't think they would be that readily duplicated. Mr. Sares stated that he sees a good strong argument for workforce housing. Ms. Tobin stated that she couldn't deny it based just on the road. Ms. Tobin stated that she feels that this is a very positive situation. Mr. Porter stated that the road should not be used to deny it.

Mr. Drinkhall stated he would have to concur with Mr. Irving; he knows housing is needed but think the road needs to meet the standard. Mr. Briggs stated he is on the fence. Mr. Briggs stated that he would hate to go against a precedent and he hates setting a precedent, but it is a minor thing and feels he has to go along with Mr. Sares thinking. Mr. Briggs stated, however, that he is still on the fence.

Gary Sherry (PID 218-79) – 123-4.A.(5): Edgar Allen of Thaddeus Thorne Surveys and Gary Sherry appeared before the Board. Mr. Allen stated that his client is looking at the former H.E. Bergeron Engineers office on Swett Street. Mr. Allen stated that the office building was converted to a residential unit in order to save taxes, but the building is in the commercial district. Mr. Allen stated the applicant would like to convert the building back to an office without going through a site plan review. Mr. Allen stated that the only thing that may be required is a couple of street trees. Mr. Briggs asked if it is just the building on Swett Street and not the building that faces Mechanic Street. Mr. Allen answered in the affirmative.

Shawn Bergeron stated that it should be granted as nothing has changed on the building and it still looks as an office building. **Mr. Sares made a motion, seconded by Mr. Drinkhall, that the change-of-use from a residential structure to office space where office space once existed 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. Motion unanimously carried.**

Mt. Cranmore (PID 214-84) – Conceptual Review: Ben Wilcox appeared before the Board. Mr. Wilcox stated that they would like to erect a 50x120 sprung structure on a cement slab to better facilitate Cranmore's rental shop operation and add cafeteria seating on peak business days. It was determined that this would need a site plan review. The Board reserved comments, as they needed more information on the architectural design of the building. The Board instructed the applicant to contact Town Staff regarding site plan process questions.

Agnes Birch/Green Granite (PID 246-35) File #FR03-06 – Extension of Conditional Approval: Mr. Irving stated that the applicant has requested an extension of the conditional approval. **Mr. Drinkhall made a motion, seconded by Ms. Tobin, to**

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extend the conditional approval until October 28, 2004. Motion unanimously carried.

Board Comments: Mr. Sares read a quote from Mr. Briggs in the paper regarding grand fathered signs and a quote from Crow Dickinson from the same article. Mr. Sares stated that he would like to get the Board behind Mr. Briggs and his feeling on grand fathered signed and have Mr. Briggs work on having sign pollution phased out over time. **Mr. Sares made a motion, seconded by Mr. Drinkhall, that the Board support this pursuit and ask Mr. Briggs to pursue it. Motion unanimously carried.**

Mr. Sares wanted to clarify his position in regard to the D'Angelo's sign; he was not calling the sign an atrocity, but that the Board asked the representative of D'Angelo's to work on the sign. Mr. Sares stated that the representative said they would and they didn't. Mr. Sares stated that the issue was not their right to that sign.

Building Heights: Shawn Bergeron appeared before the Board. Mr. Bergeron asked the Board their thoughts on increasing the building height. After a brief discussion, the Board agreed they needed time to review the subject further.

Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Holly L. Meserve
Recording Secretary



SPRUNG AESTHETICS

Colorful graphics and numerous large windows helped to create an attractive and inviting new Day Lodge at the top of the mountain.



OLD ELK DAY LODGE

This fully insulated structure was delivered, erected and functional well before the start of the busy Christmas season. The structure was erected directly onto the existing concrete pad where the Two Elk Lodge used to sit.

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CRANMORE MOUNTAIN RESORT

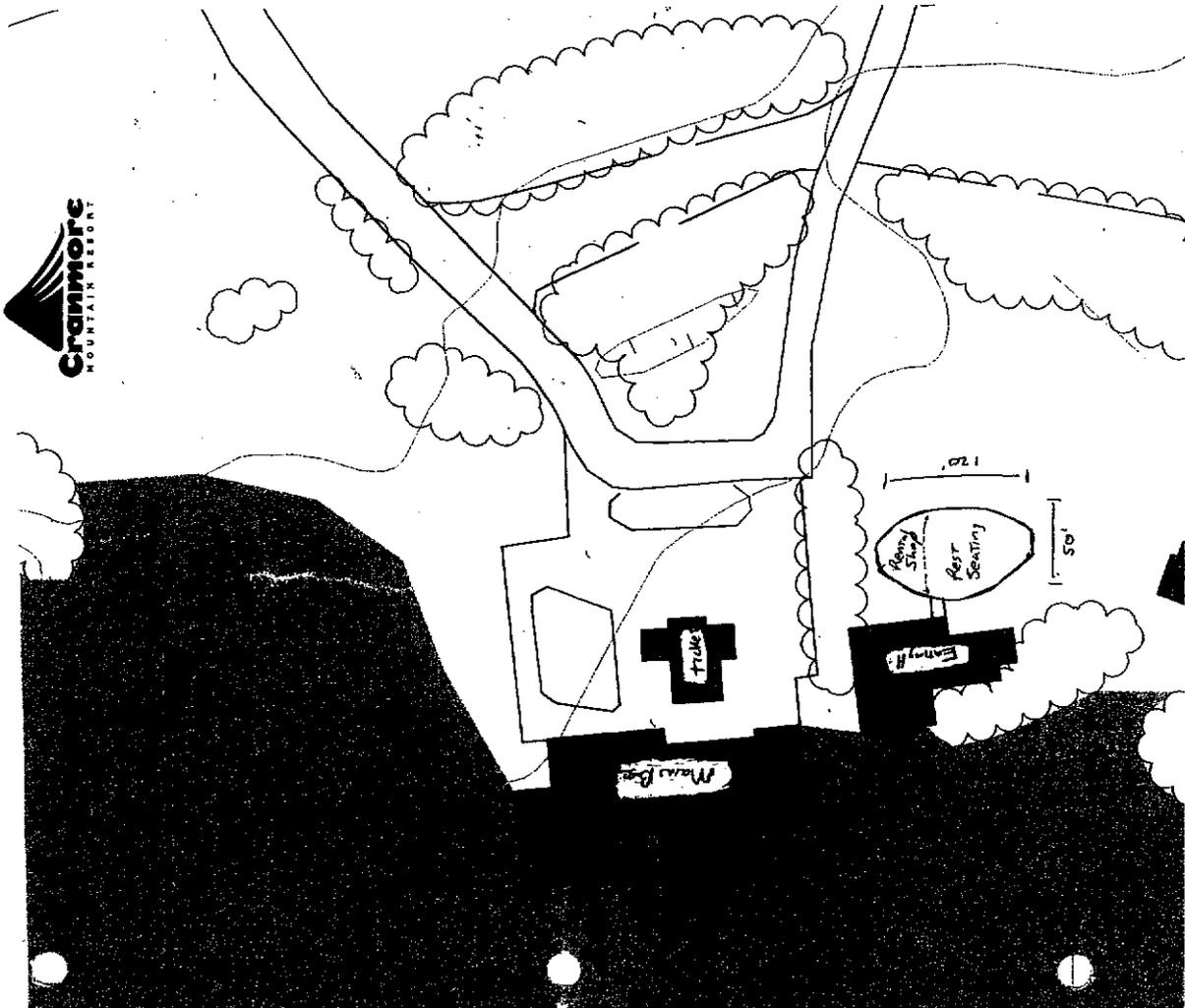
Addition of Sprung Structure to better facilitate Cranmore's Rental Shop operation and to add cafeteria seating on peak business days.

Sprung Structure – 5,200 square feet

- Tent-like structure (50 X 120)
- Use: Rental Shop (2000 sq. ft.)
- Use: Cafeteria Seating (3200 sq. ft)
- Structure sits on cement slab
- Connected to Eating House Bldg. (rest rooms and food & bev. Facilities located in Eating House).

Space: Move dumpsters and fuel tanks and displace a small amount of parking from the Cranmore preferred lot.

■ See attached photos of site.



designated as full time rental apartments must be shown on the plan with a condition that they are leased for twenty years from the date of Planning Board approval by the developer and a deed restriction shall be recorded in the Registry of Deeds as evidence of the same.

147.13.8.2.5.3.3 All lots must be serviced by municipal water and sewerage.

147.13.8.2.5.3.4 Rental/Deed restricted units shall be a maximum of 1,000 square feet and a minimum of 300 square feet.

147.13.8.2.5.3.5 Architectural design plans must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the zoning regulations.

147.13.8.3 FRONTAGE. All lots must front on a state or town highway with a Class I, II, III, IV or V classification, a private road constructed to town standards as required by the Planning Board or a Class VI road proposed to be improved as stipulated by the Planning Board. To qualify as frontage the lot must have access rights to the subject highway or road. The minimum distance for frontage on a road shall be:

147.13.8.3.1 One hundred fifty (150) feet.

147.13.8.3.2 One hundred (100) feet for lots which front entirely on cul-de-sacs, which meet the design requirements set forth in §131-Article X, Detail #4, and approved by the Planning Board.

147.13.8.4 SETBACKS. The minimum front setback shall be 25 feet and the minimum side or back setback shall be 10 feet.

147.13.8.5 STRUCTURE AND BUILDING HEIGHT. Structure height is restricted to achieve several purposes. The town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the town. Peaked roofs are encouraged because it is the traditional roof style here. (Care has been taken to prepare language, which does not unduly encourage the use of flat-roof buildings). The height restriction keeps structures and buildings below tree-top level, which is typically from sixty (60) to one hundred (100) feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the view sheds throughout town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout town:

147.13.8.5.1 Structure height shall not exceed fifty-five (55) feet for any structure.

147.13.8.5.2 Building height shall not exceed forty-five (45) feet.

147.13.8.5.3 Church steeples may be allowed to exceed fifty-five (55) feet in height by Special Exception on application to the Zoning Board of Adjustment as approved after a hearing with appropriate conditions imposed thereon provided that:

147.13.8.5.3.1 The space enclosed in the steeple is not usable floor space other than for maintenance and structural purposes of the steeple;

147.13.8.5.3.2 The height of the steeple is appropriate to the design and size of the Church.