

CONWAY PLANNING BOARD

MINUTES

OCTOBER 26, 2006

A meeting of the Conway Planning Board was held on Thursday, October 26, 2006 beginning at 7:00 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Selectmen's Representative, Larry Martin; Vice Chair, Russell Henderson; Secretary, Steven Porter; Hud Kellogg; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Porter made a motion, seconded by Mr. Kellogg, to approve the Minutes of October 12, 2006 as written. Motion unanimously carried.

**RIVER RUN COMPANY, INC (FKA EASTERN SLOPE INN ASSOCIATES) –
BOUNDARY LINE ADJUSTMENT (PID 215-1 & 218-53)**

Burr Phillips of Civil Solutions and Joe Berry and Sheila Duane of River Run Company appeared before the Board. This is an application to convey 0.36 acres to PID 215-1 from PID 218-53 resulting in a 0.96 acre-lot and a 22.26-acre lot, respectfully. **Mr. Porter made a motion, seconded by Mr. Martin, to accept the application of River Run Company, Inc. for a Boundary Line Adjustment Review as complete. Motion unanimously carried.**

Mr. Martin asked if something were to be constructed on this lot, even though they show the old footprint on the plan, it would have to be setback, as the Town would not allow them to construct into the road. Mr. Berry stated that they do hope to construct something and the reason for the BLA is for parking. Mr. Irving stated that they did come before the board with a conceptual, but they do need to go to the Zoning Board of Adjustment first.

M. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver requests for §131-24.K. & V. and §131-30.H. **Mr. Martin made a motion, seconded by Mr. Porter, to grant the waiver requests for §131-24.K. & V. and §131-30.H.** Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Mr. Drinkhall read the waiver request for §131-37.1.A. **Mr. Porter made a motion, seconded by Mr. Henderson, to grant the waiver request for §131-37.1.A.** Mr. Drinkhall asked for Board comment; Mr. Martin stated that the justification is that they will indicate the trees on the site plan; however, granting this waiver no way precludes it happening during the site plan process. Mr. Irving stated that the applicant would still be required to meet the street tree regulation during the site plan process; this waiver would not preclude them from doing that. Mr. Irving stated that the subdivision regulations require trees to be planted 60-feet apart and site plan regulations require trees to be planted 50-feet apart. Mr. Irving stated that requiring the

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planting of trees now might conflict with the driveway or other site features. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Mr. Porter made a motion, seconded by Mr. Henderson, to approve the Boundary Line Adjustment for the River Run Company, Inc. (FKA Eastern Slope Inn Associates). Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.** The plans were signed and two signed copies were given to Ms. Duane.

BARRY AND ELLANORE HILL/US CELLULAR – FULL SITE PLAN REVIEW (PID 291-9) FILE #FR06-10

Kenneth Kozyra of KJK Wireless and Steve Grill, Attorney for US Cellular, appeared before the Board. This is an application to construct a 180-foot wireless communication facility within a 75' x 75' compound with associated equipment shelter and generator with a base elevation of 911-feet on Libby Mountain Road. **Mr. Porter made a motion, seconded by Mr. Henderson, to accept the application of Barry and Ellanore Hill/US Cellular for a Full Site Plan Review as substantially complete. Motion unanimously carried.**

Mr. Irving stated that there was a noticing error and two abutters addresses were transposed, and the applicant has made provisions to correct that error. Mr. Irving stated that he would recommend the Board continue the public hearing to remedy any abutter notification issues.

Mr. Drinkhall stated that he would not be in favor of the waiver request for §123-29.A.2 & A.3. Mr. Irving stated that he did speak to the applicant and they are willing to remove the fill out of the buffer. Mr. Henderson stated since the facility is close to the property line, he would like to see the facility pulled back a bit since the site is not surveyed. Mr. Kozyra stated that they have not surveyed all the boundaries, but they have surveyed the most adjacent lines. Mr. Henderson stated since that is the case he would like to make sure that the buffer area is substantial. Mr. Kozyra stated that it is heavily wooded currently and would remain heavily wooded.

Mr. Martin asked how the facility would be powered. Mr. Kozyra stated that there is an existing utility pole, which the utilities will run from that pole underground to the facility. Mr. Drinkhall asked for public comment; there was none.

Mr. Porter made a motion, seconded by Mr. Henderson, to continue the Full Site Plan Review for Barry and Ellanore Hill/US Cellular until November 16, 2006. Motion unanimously carried.

PUBLIC SERVICE OF NEW HAMPSHIRE/SACO VALLEY SUBSTATION – FULL SITE PLAN REVIEW (PID 252-42) FILE #FR06-11

David Plante and Kathy Lewis of PSNH and Nicholas Golan of TF Moran, Inc. appeared before the Board. This is an application to upgrade and expand existing substation and construct an 891 square foot control house off East Conway Road. **Mr. Porter made a motion, seconded by**

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Mr. Henderson, to accept the application of Public Service of New Hampshire for a Full Site Plan Review as complete. Motion unanimously carried.

Mr. Drinkhall read the waiver requests for §123-6.B.2; §123-20.E.; §123-20.F./131-67.C.8.b; §123-20.F./131-67.C.8.c; §123-29.A.2; and §123-29.A.4. **Mr. Porter made a motion, seconded by Mr. Kellogg, to grant the waiver requests for §123-6.B.2; §123-20.E.; §123-20.F./131-67.C.8.b; §123-20.F./131-67.C.8.c; §123-29.A.2; and §123-29.A.4.** Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; Kirk Saunders asked how much closer would the expansion be going towards his property line, would there be any removal of vegetation and what about security. Mr. Plante stated there is a gate at the roadway that would remain and they lock the gate behind them when they go into the facility. Mr. Golan stated that it is going approximately 100-feet towards Mr. Saunders' property. Mr. Saunders stated that he didn't have any problems with the application. **Motion unanimously carried.**

Mr. Henderson made a motion, seconded by Mr. Porter, to conditionally approve the Full Site Plan for Public Service of New Hampshire conditionally upon obtaining Redstone Fire Chief Approval; modifying §131-67.C.E.b to §131-67.C.8.b under the Waivers Granted Table on Sheet 4; removing §131-67.C.8.g. from the Waivers Granted Table on Sheet 4; indicating the NHDOT Driveway Permit approval number on sheet 4 and amending the plan to show compliance with same and compliance with the Town's requirements; 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 will expire on January 25, 2007. Motion unanimously carried.

JOHN NELSON, JR – SUBDIVISION REVIEW CONTINUED (PID 258-68) FILE #S06-16

This is an application to subdivide 340± acres into 40-lots. This application was accepted as complete on June 22, 2006. Mr. Irving stated that the applicant has requested a continuance. **Mr. Henderson made a motion, seconded by Mr. Porter, to continue the Subdivision Review for John Nelson, Jr. until December 14, 2006 and new plans to be submitted by December 1, 2006. Motion unanimously carried.**

SETTLERS R2, INC. – CONCURRENT FULL SITE PLAN AND SUBDIVISION REVIEW CONTINUED (PID 235-89) FILE #FR06-09 & S06-24

This is an application to construct a 2,502 sf addition to Building G and adjust the unit boundary line accordingly. This application was accepted as complete on October 12, 2006. Mr. Irving stated that the applicant has requested a continuance. **Mr. Porter made a motion, seconded by Mr. Kellogg, to continue the Concurrent Site Plan and Subdivision Review for Settlers' R2, Inc. until November 16, 2006. Motion unanimously carried.**

OTHER BUSINESS

Peaked Mountain, LLC (PID 219-303) File #S05-11 and #S06-21 – Extension of Conditional Approvals: Mr. Porter made a motion, seconded by Mr. Henderson, to extend the conditional approvals for Peaked Mountain, LLC until May 16, 2007. Motion unanimously carried.

MRM Real Estate Development/Shaw's Realty Co. (PID 246-19 & 20) – Extension of Conditional Approval: Mr. Martin made a motion, seconded by Mr. Porter, to extend the conditional approvals for MRM Real Estate Development/Shaw's Realty Co. until April 26, 2007. Motion carried with Mr. Henderson abstaining from voting.

THE KENNETT COMPANY – SUBDIVISION REVIEW CONTINUED (PID 279-2 & 291-30 & 34) – FILE #S06-13

This is an application to subdivide 735 ± acres into 22 single family lots with associated right-of-way and common open space, one PUD lot with seven units and the remainder being phase II undeveloped land for a total of 24 lots on Dollof Hill Road, Modock Hill Road and Allard Hill Road. This application was accepted as complete on May 11, 2006.

Jay Poulin of H.E. Bergeron Engineers appeared before the Board. Bayard Kennett was in attendance. Mr. Poulin reviewed the remaining items. Mr. Irving stated should there be any substantive changes to the plans because the outstanding State permits required changes to the plans, the applicant would have to reapply to the Planning Board. Mr. Poulin agreed. Mr. Irving asked Mr. Poulin if his client was comfortable proceeding with a conditional approval this evening. Mr. Poulin answered in the affirmative.

Mr. Henderson made a motion, seconded by Mr. Porter, to conditionally approve the Subdivision for The Kennett Company conditionally upon Town Engineer Approval; NHDES Subdivision Approval and indicate approval number on plan; NHDES Site Specific Approval and indicate approval number on plan; NHDES Dredge and Fill Approval and indicate approval number on plan; NHDOT Driveway Permit and indicate approval number on plan; Submittal of final, revised plan sets; Payment of remaining fees; A performance guarantee for all site improvements; Submittal of Mylar's; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on April 26, 2007. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Meeting adjourned at 8:07 pm.

Respectfully Submitted,

Holly L. Meserve
Planning Assistant