

CONWAY PLANNING BOARD

MINUTES

JULY 12, 2007

A meeting of the Conway Planning Board was held on Thursday, July 12, 2007 beginning at 7:01 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Vice Chair, Martha Tobin; Secretary, Steven Porter; Theodore Sares; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

The Minutes of June 28, 2007 should be amended as follows: page 2, second paragraph, line 4, should read "...time. Mr. Sares stated otherwise we could be giving them a head fake. Mr. Drinkhall..."; page 2, third paragraph, line one should read, "...are no street trees on..."; page 2, fourth paragraph, line 3 should read, "...Board ~~worked the~~ pressed for shrubbery..."; page 5, third paragraph, line 5, should read, "...is post facto~~r~~ and ..."; page 5, third paragraph, line 7, should read, "...erosion and ~~this looks to be a multi-dimensional resolution~~ these could be multi-faceted."; page 5, fourth paragraph, line 4, should read, "...agreed. Mr. Sares stated that ~~it should be~~ the issue here is planned planting..."; and page 5, fifth paragraph, line 8, should read, "...concerned. ~~Mr. Sares stated that there are many things that can be done to prevent erosion.~~ Mr. Irving...".

**Mr. Porter made a motion, seconded by Mr. Sares, to approve the Minutes of June 28, 2007 as amended. Motion carried with Ms. Tobin abstaining from voting.**

**JOSEPH MAROTTA – BOUNDARY LINE ADJUSTMENT REVIEW (PID 223-12 & 13)  
FILE #S07-12**

Ron Briggs of Briggs Land Surveying appeared before the Board. This is an application to add 1.99 acres to PID 223-13 from PID 223-12. **Mr. Porter made a motion, seconded by Ms. Tobin, to accept the application of Joseph Marotta for a Boundary Line Adjustment as complete. Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver request for §131-43.A. **Mr. Porter made a motion, seconded by Mr. Sares, to grant the waiver request for §131-43.A.** Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Mr. Porter made a motion, seconded by Ms. Tobin, to conditionally approve the Boundary Line Adjustment for Joseph Marotta conditionally upon providing a recorded utility easement to serve PID 223-12 & 223-14 across PID 223-13 and indicate book and page on plan; a Mylar for recording; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval expires on October 11, 2007. Motion unanimously carried.**

**PHOENIX REALTY TRUST AND PHILIP BERNABY – BOUNDARY LINE  
ADJUSTMENT REVIEW (PID 230-55 & 56) FILE #S07-13**

Robert Tafuto of Ammonoosuc Survey Company appeared before the Board. This is an application to add 0.28 of an acre to PID 230-55 from PID 230-56. **Mr. Porter made a motion, seconded by Mr. Sares, to accept the application of Phoenix Realty Trust and Philip Bernaby for a Boundary Line Adjustment Review as complete. Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall read the waiver request for §131-37.1.A. **Mr. Porter made a motion, seconded by Mr. Sares, to grant the waiver for §131-37.1.A.** Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Mr. Porter made a motion, seconded by Ms. Tobin, to conditionally approve the Boundary Line Adjustment for Phoenix Realty Trust and Philip Bernaby conditionally upon revising plan regarding proposed street tree and waiver; a Mylar for recording; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on October 11, 2007. Motion unanimously carried.**

**ROBERT & CATHY HILL AND GARDNER PERRY – BOUNDARY LINE  
ADJUSTMENT REVIEW (PID 277-70, 71 & 72) FILE #S07-14**

Wes Smith of Thaddeus Thorne Surveys appeared before the Board. This is an application to consolidate three lots into two lots by dissolving PID 277-71 and adding 0.30 of an acre to PID 277-72 and adding 0.30 of an acre to PID 277-70. **Mr. Porter made a motion, seconded by Ms. Tobin, to accept the application of Robert & Cathy Hill and Gardner Perry for a Boundary Line Adjustment Review as complete. Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Mr. Porter made a motion, seconded by Ms. Tobin, to conditionally approve the Boundary Line Adjustment for Robert & Cathy Hill and Gardner Perry conditionally upon addressing the outstanding items on deficiency list dated 06/27/07; Conway Village Fire District Water and Sewer approval; submitting four copies of revised plans (two for the Town); submitting a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on October 11, 2007. Motion unanimously carried.**

**THE KENNETT COMPANY – 49-LOT SUBDIVISION REVIEW (PID 291-30) FILE  
#S07-10**

This is an application to subdivide 583 acres into 49-lots, associated road infrastructure and common lands. This application was accepted as complete on May 10, 2007. **Ms. Tobin made a motion, seconded by Mr. Sares, to continue the Subdivision Review for The Kennett Company until August 9, 2007. Motion unanimously carried.**

**CHILDREN UNLIMITED, INC – FULL SITE PLAN REVIEW (PID 277-305) FILE #FR07-14**

Josh McAllister of H.E. Bergeron Engineers and Jackie Sparks of Children Unlimited appeared before the Board. This is an application to demolish the existing building and construct a new 11,828 square foot facility with associated infrastructure. The application was accepted as complete on June 28, 2007.

Mr. Irving stated that the engineering review is not complete, but the engineer has recommended a conditional approval, as the changes are minor in nature. Mr. Sares asked if this is the fruition of the fund raising from a year ago. Mr. Sparks answered in the affirmative. Mr. Drinkhall asked for public comment; there was none.

**Mr. Porter made a motion, seconded by Ms. Tobin, to conditionally approve the Full Site Plan for Children Unlimited, Inc conditionally upon Town Engineer Approval; Conway Village Fire District Water and Sewer approval; remove elements that are not to remain on the proposed site plan (sheet 4); a performance guarantee for all site improvements; a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on September 27, 2007. Motion unanimously carried.**

**OTHER BUSINESS**

**Beth and Walter Campbell and John and Nancy Long (PID 274-29 & 30) – Extension of Conditional Approval (File #S06-19): Mr. Porter made a motion, seconded by Ms. Tobin, to extend the conditional approval for Beth and Walter Campbell and John and Nancy Long until September 27, 2007. Motion unanimously carried.**

**Bergeron & Burnell, Inc. (PID 218-135) – Extension of Conditional Approval (File #FR07-07): Ms. Tobin made a motion, seconded by Mr. Sares, to extend the conditional approval for Bergeron & Burnell, Inc. until September 27, 2007. Motion unanimously carried.**

**Capital Improvements Program (CIP) and Infrastructure Committee:** Mr. Sares stated when he was on the Board a few years ago he was pressing for the CIP. Mr. Sares asked where do we stand with the CIP. Mr. Irving stated that he and the Town Manager have been trying to get information from the other agencies without any luck. Mr. Sares asked how could you do that when we have an Infrastructure Committee. Mr. Sares stated if the Infrastructure Committee could call for a moratorium on growth we might not have to deal with what was in the paper today. Mr. Sares stated that the CIP is the single most important thing you can do with a town and he is pressing hard for that. Mr. Sares stated that a CIP committee is necessary.

Mr. Sares asked Mr. Drinkhall, as a member of the Infrastructure Committee, what is going on. Mr. Drinkhall stated that there has only been one meeting and have already reported to the Planning Board in regard to that meeting. Mr. Sares stated there is a meeting on August 1 and he plans to attend. Mr. Sares stated that he is worried as a West Side Road resident. Mr. Sares stated that he sees a solution and asked Mr. Drinkhall if he sees a solution. Mr. Drinkhall answered in the affirmative.

Mr. Sares stated that he is very concerned that we do the right thing for Birch Hill. Mr. Porter stated that he questions how this Infrastructure Committee can get up and running when he has pushed for a CIP committee since day one. Mr. Porter stated that the CIP is the single most beneficial thing for the Town of Conway and it appears from his seat that the Board of Selectmen doesn't care. Mr. Porter stated were going to put our faith in a committee that not a lot of people know about. Mr. Porter stated that he wants to see this town flourish and we need to prioritize.

Mr. Irving stated several years ago, following the direction of the Master Plan, the Planning Board submitted an article to the voters asking that the Board of Selectmen establish a CIP committee, however, at Town Meeting the voters took it away from the Board of Selectmen and gave it back to the Planning Board. Mr. Irving stated at this point in time the Board of Selectmen do not have the authority to establish the CIP and he would recommend putting an article on the warrant for a CIP committee.

Mr. Sares stated that we should go back and try again and put the burden on them. Mr. Sares stated that this is a different group and they may be more receptive. Mr. Sares stated that there is no representation for the non-precinct areas. Mr. Drinkhall stated that he is by being a representative of the Planning Board. Mr. Sares disagreed.

Mr. Irving recommended a warrant article. Mr. Sares stated that it should be done in an enabling way. Mr. Sares stated he wants to protect our interest. **Mr. Sares made a motion, seconded by Mr. Drinkhall, to request that the Board of Selectmen put a warrant article on the ballot to authorize the Board of Selectmen to establish and fund a Capital Improvements Program Committee in accordance with the Implementation Chapter [Item C.6] of the Master Plan. Motion unanimously carried.**

Meeting adjourned at 7:47 pm

Respectfully Submitted,

Holly L. Meserve  
Planning Assistant