

CONWAY PLANNING BOARD

MINUTES

AUGUST 23, 2007

A meeting of the Conway Planning Board was held on Thursday, August 23, 2007 beginning at 7:01 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Selectmen's Representative, Larry Martin; Vice Chair, Martha Tobin; Secretary, Steven Porter; Sean McFeeley; Hud Kellogg; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Porter made a motion, seconded by Ms. Tobin, to approve the Minutes of August 9, 2007 as written. Motion unanimously carried.

AGENDA OUT OF ORDER

Mr. Porter made a motion, seconded by Ms. Tobin, to take the agenda out of order and hear 985 Main Street, LLC first. Motion unanimously carried.

985 MAIN STREET, LLC – SUBDIVISION AND BOUNDARY LINE ADJUSTMENT REVIEW (PID 254-29.202, .204 & .205) FILE #S07-18

Diane Smith of Thaddeus Thorne Surveys appeared before the Board. This is an application to subdivide lot 45 into two lots and add 2,617 square feet from lot 42 to lot 43 on Blake Hill Road. **Mr. Porter made a motion, seconded by Mr. McFeeley, to accept the application of 985 Main Street, LLC/Mountainvale Village MHP for a Subdivision and 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. **Ms. Tobin made a motion, seconded by Mr. Martin, to approve the Subdivision and Boundary Line Adjustment for 985 Main Street, LLC/Mountainvale Village MHP. Motion unanimously carried.** The plans were signed.

KGI PROPERTIES, LLC – MINOR SITE PLAN REVIEW (PID 246-38) FILE #MR07-02

Josh McAllister of H.E. Bergeron and Randy Cooper of Cooper, Deans & Cargill appeared before the Board. This is an application to amend File #FR05-10 to change grassed islands to mulched islands. Mr. Cooper stated if the Board prefers grass than this is not the issue. Mr. Cooper stated in Lowe's experience they prefer mulch islands. Mr. Cooper asked if the present definition of greenspace allows mulching and, if not, would the Board consider changing the definition of greenspace. **Mr. Porter made a motion, seconded by Ms. Tobin, to accept the application of KGI Properties, LLC for a Minor Site Plan Review as complete. Motion unanimously carried.**

Adopted: September 13, 2007 - As Written
CONWAY PLANNING BOARD – AUGUST 23, 2007

Ms. Tobin stated when the Board reviewed the original application it was envisioned that the islands would be something live, green and growing. Mr. Martin stated that he reviewed the original site plan application and the waivers for landscaping and trees were granted in part because of grass in the islands. Mr. Martin stated that the islands are a minuet area of the greenspace and the definition is a cloudy area, but the Board has always been under the impression that it would be live. Mr. Martin stated for the applicant to ask the Board to allow the change to mulch and grant a waiver is difficult when reviewing the big picture.

Mr. Porter stated one issue for him is how it came about and should have been rectified from the starting block so we would not be here. Mr. Porter stated one of the reasons for granting the landscaping waivers was due to the grassed islands as they softened the impact. Mr. Cooper stated the applicant is willing to plant grass, however, they continued with the mulching knowing that it may have to be removed.

Mr. Irving stated when he visited the site over a three day inspection, it was determined that they were putting in the wrong materials. Mr. Irving stated that the on site folks were constructing from plans which had been changed after Planning Board approval. Mr. Cooper stated that there was a miscommunication between the Property Owners, Lowe's and the Engineering firm. Mr. Irving stated when the Engineering firm changed the plans they should have known that it would need to be approved by the Planning Board.

Mr. Cooper stated that he is authorized to withdraw the application and a Principal came up yesterday and stated that he thought the site would look better grassed. Mr. Cooper stated that he would withdraw the application.

Mr., Kellogg stated that the grassed islands have better curb appeal. Mr. Porter asked if all the plans are current. Mr. Irving stated the day it was brought to Adam Mitchell's attention he made arrangements to get a copy of the approved plans from this office. Mr. McFeeley stated it would be pretty dangerous for this Board to allow the change and set precedent that the applicant can get approved for one thing, change it without approval and expect the Board to just approve it.

Mr. Cooper stated that the Board could take it on his authority to withdraw the application. Mr. Drinkhall asked if the application is officially withdrawn. Mr. Cooper answered in the affirmative.

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

Josh McAllister of H.E. Bergeron appeared before the Board. 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. Mr. Irving stated that the applicant and staff have requested a continuance until September 27, 2007 to complete engineering reviews. **Mr. Martin made a motion, seconded by Ms. Tobin, to continue the Subdivision Review for The Kennett Company s until September 27, 2007. Motion unanimously carried.**

OTHER BUSINESS

River Run Company, Inc (PID 218-51) – §123-4.A.5: Mr. Irving stated that there is an alleged issue with §123-4.5 and the applicant has agreed to voluntarily request a continuance until September 13, 2007.

Member Contact Information: Mr. Drinkhall stated that the Board has received a form with names on it, but no contact information. Mr. Drinkhall stated that some Board members wanted this information and it is his personal opinion that the Board should be available. Mr. Martin stated that we are available through Town Staff. Mr. Martin stated that he receives a message from Town Staff and then he has the discretion to contact that person or not.

Mr. Irving stated that there have been several requests on staff's behalf on who wants their information available to staff only or to the public and we have not heard from everyone. Mr. Irving stated that staff does not want to have to pick and choose who that information is available to. Mr. Irving stated that he is looking at Mr. Kellogg because he has not responded. Mr. Kellogg stated that he is authorizing his information be available to the public. It was agreed that the Board would exchange their information with other Board members amongst themselves.

Committee Reports: There were no committee reports.

Amendment to Planning Board Bylaws: Mr. Irving stated if there were to be any amendments to the Bylaws a public hearing would be necessary. Mr. Kellogg stated that the regulations don't require a public hearing, but to be read twice and posted in two public places. Mr. Irving stated that the required procedure would be followed.

Residency Issue: Mr. Drinkhall asked Mr. Porter if he was all set regarding the residency issue. Mr. Porter asked if he had received any more information from his research. Mr. Drinkhall stated that he didn't get the information that was suppose to be faxed to him. Mr. Drinkhall stated that the RSA is very convoluted and what is a qualified resident is very wide open. Mr. Porter asked if there was any reference to a physical address. Mr. Drinkhall answered in the negative. Mr. Porter thanked Mr. Drinkhall for his effort. Mr. Irving asked if the matter was closed. Mr. Porter agreed.

Meeting adjourned at 7:40 pm

Respectfully Submitted,

Holly L. Meserve
Planning Assistant