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CONWAY PLANNING BOARD

MINUTES

SEPTEMBER 10, 2009

A meeting of the Conway Planning Board was held on Thursday, September 10, 2009 beginning at 7:06 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Robert Drinkhall; Secretary, Patricia Sell; Ted Sares; David Sordi; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

The Minutes of August 27, 2009 should be amended as follows: add to page 2 between Luke McDonald Holdings and Fram Donuts the following:

**The Kennett Company/Peter and Patricia Sell (PID 264-50, 51, 52 & 54) – Conditional Approval Expiring (File #S09-02):** Mr. Irving stated that the conditions of approval have been met and the plans can be signed.

**Katherine Brassill/Adventure Suites (PID 202-14) – Conditional Approval Expiring (File #FR09-03):** Mr. Irving stated that the conditions of approval have been met and the plans can be signed.

**Mr. Sares made a motion, seconded by Ms. Sell, to approve the Minutes of August 27, 2009 as amended. Motion unanimously carried.**

**CONWAY AREA HUMANE SOCIETY – MINOR SITE PLAN REVIEW (PID 265-11)  
FILE #MR09-02**

Virginia Moore and Steve Boulter of the Conway Area Humane Society appeared before the Board. Diane Smith of Thaddeus Thorne Surveys was in the audience. This is an application to amend the previously approved Site Plan by adding a dog park facility and other minor site modifications. **Mr. Drinkhall made a motion, seconded by Ms. Sell, to accept the application of Conway Area Humane Society for a minor site plan review as complete. Motion unanimously carried.**

Mr. Sares stated that it is not a public park as it requires membership. Ms. Moore stated that it would require a membership. Ms. Sell asked what the membership requirements are. Mr. Boulter stated that the dog must be healthy, licensed, vaccinated and reasonably well behaved. Ms. Sell asked if a fee would be charged. Ms. Moore stated there is a membership fee of \$50 per year. Ms. Sell asked if this would be available for Conway residents only or for anyone. Ms. Moore answered anyone. Mr. Sordi asked the hours. Mr. Boulter answered dawn to dusk. Mr. Sares asked if you have to be there with the dog. Ms. Moore stated that you have to stay with your dog, you cannot leave them. Mr. Boulter stated that the dogs in the shelter can run free in there as well rather than just being walked around the building.

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Ms. Sell asked what types of procedures have been developed to indicate membership. Mr. Boulter stated that they will be given a tag upon receiving a membership. Ms. Sell asked if they would have to check in with someone. Ms. Moore stated that it would be monitored, but it is an honor system. Mr. Porter asked for public comment; there was none. Mr. Irving stated that the waivers requested are from the previous full and minor site plan applications. Mr. Irving stated that they have also relocated the dumpster and there is a fenced area for walking dogs. Mr. Sares stated that he would be okay with the application if they removed “public”. Ms. Moore agreed.

Mr. Porter read the waiver requests for §123-5.A; §123-20.E. & F and §123-22.B; §123-20.I; §123-27; §123-29; and §123-29.D.8 & 9. **Mr. Drinkhall made a motion, seconded by Ms. Sell, to grant the waivers for §123-5.A; §123-20.E. & F and §123-22.B; §123-20.I; §123-27; §123-29; and §123-29.D.8 & 9.** Mr. Porter asked for Board comment; there was none. Mr. Porter asked for public comment; there was none. **Motion unanimously carried.**

**Mr. Drinkhall made a motion, seconded by Ms. Sell, to conditionally approve the minor site plan for Conway Area Humane Society conditionally upon revising waivers granted table; indicating ZBA approvals on the plan; submitting a NHDOT Driveway Permit and indicate permit number on plan; Conway Village Fire Chief approval; Conway Village Fire District approval; a performance guarantee for proposed street trees; submitting a Mylar; submitting a \$25 check made payable to Carroll County Registry of Deeds pursuant to RSA 478:17-g II (a); when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on December 10, 2009. Motion unanimously carried.**

#### **OTHER BUSINESS**

**North Conway Group I, LLC/MA Sobol North Conway, LLC/RD Karr North Conway, LLC/F Farrow North Conway, LLC/GA Vital North Conway, LLC/Uberblast, LLC (PID 235-8) – §123.4.A.(5) – File #NA09-16:** Rudi and Maria Schandor appeared before the Board. This is an application to convert 5,500 square feet of retail to a commercial amusement with concession area at 1572 White Mountain Highway.

Mr. Irving stated that this use would be contained entirely within the building and there are no modifications to the site, but he was not able to permit this administratively as the Zoning Ordinance requires this type of activity to obtain Site Plan approval if it is using greater than 15% of the floor space of a building.

Ms. Sell stated that she would like to see the building leased and she would like to see this type of business in the Valley. Mr. Porter asked for public comment; there was none.

**Ms. Sell made a motion, seconded by Mr. Sares, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the conversion of 5,500 square feet of retail to a commercial amusement with concession area 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.**

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**Hugh Hastings/Hale Estates (PID 250-32, 57, 71 & 100/263-62) – Request for Extension of Conditional Approval (File #S09-06):** Ron Briggs of Briggs Land Surveying appeared before the Board. Mr. Irving stated that they are working diligently on the water design and they are making progress. Mr. Irving stated that staff has no issue giving the applicant more time. **Mr. Sares made a motion, seconded by Ms. Sell, to extend the conditional approval for Hugh Hastings/Hale Estates until December 10, 2009.** Mr. Porter asked Mr. Briggs if this would be sufficient time to meet the conditions. Mr. Briggs stated that it should be as he does not foresee any problems. **Motion unanimously carried.**

**Committee Reports:** Mr. Porter stated that the Garage Committee met and the next meeting is Thursday, September 17<sup>th</sup>. Mr. Porter stated that the Committee is going to start reviewing the plans page by page and see if there is any fine tuning before there is a recommendation to the Board of Selectmen. Mr. Porter stated that the Board did decide to stay with the same size building.

Meeting adjourned at 7:31 pm.

Respectfully Submitted,



Holly L. Meserve  
Planning Assistant