

**CONWAY PLANNING BOARD**

**MINUTES**

**MAY 9, 2013**

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**CONWAY PLANNING BOARD**

**MINUTES**

**MAY 23, 2013**

A meeting of the Conway Planning Board was held on Thursday, May 23, 2013 beginning at 7:00 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Carl Thibodeau; Vice Chair, Steven Hartmann; Secretary, Martha Tobin; Kevin Flanagan; Eric Porter; Ray Shakir; Planning Director, Thomas Irving and Recording Secretary, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

**Ms. Tobin made a motion, seconded by Mr. Hartmann, to approve the Minutes of May 9, 2013 as written. Motion carried with Mr. Hartmann abstaining from voting.**

**OTHER BUSINESS**

**Little Gem LLC/Tuckerman's Brewing Company - §123-4.A.5 (#NA13-07)**: This is a request to install a 256 square foot concrete pad and silo and construct a 930 square foot gravel access drive at 66 Hobbs Street, Conway (PID 277-183). Nik Stanciu of Tuckerman Brewing Company appeared before the Board.

Mr. Irving stated he couldn't approve this request at the staff level because the reduction of green space was more than 200 square feet and the driveway was not going to be paved. Mr. Irving stated there was also a concern regarding the lack of an easement for access. Kevin Flanagan joined the meeting at this time.

Mr. Stanciu stated that he has a good working relationship with Conway Business Park. Mr. Stanciu stated there is a common right-of-way and he doesn't think it will be an issue to get an agreement with them. Mr. Stanciu stated that he is not sure if he can obtain a deeded right-of-way with them though, as it will affect lot one and what can happen on that lot in the future. Mr. Irving stated that the Town requires a connecting drive via §123-20.

Mr. Thibodeau stated he is concerned if there is not a deeded right-of-way; and asked if there is enough green space to cut in a roadway from Hobbs Street to the back of this building. Mr. Irving stated that he believes they would be able to meet the green space standard.

Mr. Irving asked about rerouting the silo fill pipe. Mr. Stanciu stated that it can be done, but it is expensive. Mr. Steve Porter stated if we don't require a deeded right of way, we open up a can of worms for future businesses in the valley. Mr. Steve Porter stated another access without a deeded right-of-way would protect your interest. Mr. Stanciu stated it probably will not happen if a deeded right-of-way is required.

**Adopted: June 13, 2013 – As Written  
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Mr. Irving stated there is a PSNH easement on this property. Mr. Stanciu stated there is an easement for overhead utilities. Mr. Irving asked if there were underground utilities. Mr. Stanciu stated that the utilities go overhead then go underground. Mr. Stanciu stated that a written right-of-way makes the most sense. Mr. Thibodeau stated that same PSNH easement goes through the middle of his parking lot and it gives public services the right of access.

Mr. Thibodeau asked how much land there was between the edge of building and property line. Mr. Irving answered five-feet on the western side. Mr. Shakir stated that giving a deeded right-of-way would kill development on the lot, so the owner will not do it. Mr. Thibodeau asked if there were any wetlands. Mr. Irving stated he was not sure.

Mr. Thibodeau stated that he doesn't have a problem with the tank, the concrete or the gravel, but he cannot allow them to trespass on someone else's lot. Mr. Stanciu stated a written agreement would negate trespassing. Mr. Steve Porter stated that it does not make good business sense. The Board discussed putting an access road on their property from Hobbs Street to the back of the building and looked favorably upon granting a waiver for the access.

**Ms. Tobin made a motion, seconded by Mr. Flanagan, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the installation of a 256 square foot concrete pad and silo and the construction of a 930 square foot gravel access 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 defeated.**

**CMR Properties LLC/Cranmore Mountain - §123-4.A.5 (#NA13-08):** This is a request to construct a 12' x 18' base area building at 239 Skimobile Road, North Conway (PID 214-84). Glenn Harmon of Cranmore Mountain appeared before the Board.

**Ms. Tobin made a motion, seconded by Mr. Steven Porter, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the construction of a 12' x 18' base area building 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.**

**Committee Reports:** There were no committee reports.

Meeting adjourned at 7:47 pm.  
Respectfully submitted,



Holly Meserve  
Recording Secretary