

CONWAY PLANNING BOARD

MINUTES

APRIL 10, 2014

PAGES

Review and Acceptance of Minutes

- March 27, 2014 – Adopted as Written

North Conway Community Center/North Conway Country Club – Full Site Plan Review (PID 218-28, 29 & 32)
File #FR14-04

- Conditionally Approved

James and Linda Digiandomenico – Boundary Line Adjustment Review (PID 262-64 & 64.01) File #S14-06

- Conditionally Approved

Red Barn SC LLC – Full Site Plan Review (PID 235-34)
File #FR14-05

- Conditionally Approved

Atticus Tao LLC and Rowyn Realty LLC – 2-Lot Subdivision Continued (PID 231-114) File #S14-05

- Conditionally Approved

Other Business

- Committee Reports
 - Sign Advisory Committee
- April 24, 2014 Planning Board Meeting - Canceled

CONWAY PLANNING BOARD

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A meeting of the Conway Planning Board was held on Thursday, April 10, 2014 beginning at 7:07 pm 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

Mr. Hartmann made a motion, seconded by Mr. Eric Porter, to approve the Minutes of March 27, 2014 as written. Motion unanimously carried.

NORTH CONWAY COMMUNITY CENTER/NORTH CONWAY COUNTRY CLUB – FULL SITE PLAN REVIEW (PID 218-28, 29 & 32) FILE #FR14-04

Burr Phillips of Civil Solutions appeared before the Board. This is an application to construct a 9,200 square foot recreation building and associated infrastructure at 2628 White Mountain Highway. Mark Miller, Ryan Somers, Tim Scott, Michael Couture and Curt Detzer were in attendance. **Ms. Tobin made a motion, seconded by Mr. Hartmann, to accept the application of North Conway Community Center/North Conway Country Club for a Full Site Plan review as complete. Motion unanimously carried.**

Mr. Irving stated there were a couple changes to the plan after the staff report; there are additional landscaping features, a temporary driveway leading to the temporary parking area was removed and a consolidation of waivers to combine §123-29.A.2 and A.3 and add §123-26.D.6 to it.

Mr. Steve Porter asked for Board comment; Mr. Shakir asked between the parking areas and the building taking a lot of space, how is that going to effect, if at all, the craft fairs. Mr. Phillips stated there is still a fair amount of space. Mr. Shakir stated there won't be any effect. Mr. Phillips agreed. Mr. Steve Porter asked for public comment; there was none.

Mr. Steve Porter read the waiver request for §123-4.C; §123-20.F/§131-67.C.8.f; §123-21.A.2; §123-28; and §123-29.A.2; A.3 & 29.D.6. **Ms. Tobin made a motion, seconded by Mr. Flanagan, to grant the waiver request for §123-4.C; §123-20.F/§131-67.C.8.f; §123-21.A.2; §123-28; and §123-29.A.2; A.3 & 29.D.6.** Mr. Steve Porter asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Tobin made a motion, seconded by Mr. Eric Porter, to conditionally approve the Full Site Plan review for North Conway Community Center/North Conway Country Club conditionally upon Town Engineer approval; removing temporary driveway from PID 218-30; removing Floodplain Conservation Overlay District from notes; removing signage from architectural drawings; submitting a lot merger and the \$17 fee to merge PID 218-28 & 29; revising waivers granted table on sheet 4; submitting supplemental review fees; submitting recorded access easements and indicate book and page on plan; submit five copies [three to remain with the Town] of revised plan sets; submitting 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 April 9, 2015. Motion unanimously carried.

JAMES AND LINDA DIGIANDOMENICO – BOUNDARY LINE ADJUSTMENT REVIEW (PID 262-64 & 64.01) FILE #S14-06

Wes Smith of Thaddeus Thorne Surveys appeared before the Board. This is an application to convey 0.20 of an acre to PID 262-64.01 from PID 262-64 and to convey 0.06 of an acre to PID 262-64 from PID 262-64.01 at 610 White Mountain Highway. Mr. Smith stated at the recommendation of the Conway Village Fire Chief and the NHDOT to align any proposed roads across from Benson Circle; this application moves property lines so if there is a phased development it would meet their requirements. **Mr. Flanagan made a motion, seconded by Mr. Eric Porter, to accept the application of James and Linda Digiandomenico for a Boundary Line Adjustment review as complete. Motion unanimously carried.**

Mr. Steve Porter asked for Board comment; there was none. Mr. Steve Porter asked for public comment; there was none. Mr. Steve Porter read the waiver request for §131-37.1.A. **Ms. Tobin made a motion, seconded by Mr. Steve Porter, to grant the waiver request for §123-37.1.A. Motion unanimously carried.**

Ms. Tobin made a motion, seconded by Mr. Eric Porter, to conditionally approve the Boundary Line Adjustment for James and Linda Digiandomenico conditionally upon Town Engineer approval; submitting a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on July 10, 2014. Motion unanimously carried.

RED BARN SC LLC – FULL SITE PLAN REVIEW (PID 235-34) FILE #FR14-05

Wes Smith of Thaddeus Thorne Surveys and David St. Germaine appeared before the Board. Wayne Littlefield was in attendance. This is an application to construct a 1,472 square foot addition to a restaurant with walk-in cooler and brewery at 1976 White Mountain Highway. **Mr. Thibodeau made a motion, seconded by Ms. Tobin, to accept the application of Red Barn LLC for a Full Site Plan Review as complete. Motion unanimously carried.**

Adopted: May 8, 2014 – As Written
CONWAY PLANNING BOARD – APRIL 10, 2014

Mr. St. Germaine stated they would like to phase the project due to the enormous expense of upgrading the site. Mr. Irving read a letter from Diane Smith dated March 31, 2014 regarding the phasing request. Mr. Irving stated that they intend to plant four street trees as part of phase I. Mr. Smith agreed. Mr. Irving stated this particular site has significant issues with the drainage and parking in the rear. Mr. Irving stated that the drainage has failed and they have been doing repairs as they could, but to bring it up to standard it will need to have some significant improvements.

Mr. Irving stated there is also an issue with the loading dock as it would block access to the rear parking lot. Mr. Irving stated that this is a hazard to life safety and emergency access and they are proposing to angle the loading dock so the rear parking lot can be accessed when there is a delivery. Mr. Irving stated that the loading dock improvements will be a part of phase I. Mr. Irving stated that he has no objection to the ADA lighting being in the later phase as they don't have to have any lighting. Mr. Irving stated that we do need to have all the life safety issues, drainage structures, parking realignment and landscaping done prior to initial occupancy.

Mr. Steve Porter asked the Town's recourse if this is not done. Mr. St. Germaine stated they would be providing bonding. Mr. Irving stated there will be a bond. Mr. Irving stated if they fail to complete the work in the time frame that is prescribed by the Town the Town could revoke their certificate of occupancy, meaning they would have to shut their doors; they could be fined as well.

Mr. Hartmann asked if the first phase of the renovation included the drainage in the back parking lot. Mr. St. Germaine answered in the affirmative. Mr. Hartmann asked if it would be a functional parking lot when the tenant moves in. Mr. Irving stated that they are simply repairing in place the catch basins; and if pipes need to be repaired they would be replaced and asphalt over those pipes would be patched. Mr. St. Germaine stated there is more testing taking place in two weeks to repair those things; they would be patching for now until we get to phase II to repave. Mr. Smith stated the parking lot would be available and safe when they open.

Ms. Tobin asked how long the phasing is anticipated. Mr. Irving stated phase I would be one year from final approval and prior to occupancy. Mr. Irving stated that the first phase would have to include all ADA improvements. Mr. St. Germaine agreed. Mr. Steve Porter asked for public comment; Tom Eastman asked the name of the restaurant and if they would be making beer on site. Mr. St. Germaine stated he would not like to give that information until they are permitted.

Mr. Steve Porter read the waiver request for §123-20.C, F, & I/§131-67.C.8.f; §123-20.F, 29.A.2, A.3 & A.4/§131-67.C.8.c; §123-22.A; §123-26.5; §123-27; §123-29.B; §123-29.D.6 & D.7; §123-29.D.5 & D.8; §123-30.A.3; and §123-41.C. & E. **Ms. Tobin made a motion, seconded by Mr. Shakir, to grant the waiver request for §123-20.C, F, & I/§131-67.C.8.f; §123-20.F, 29.A.2, A.3 & A.4/§131-67.C.8.c; §123-22.A; §123-26.5; §123-27; §123-29.B; §123-29.D.6 & D.7; §123-29.D.5 & D.8; §123-30.A.3; and §123-41.C. & E.** Mr. Steve Porter asked for Board comment; there was none. **Motion unanimously carried.**

Adopted: May 8, 2014 – As Written
CONWAY PLANNING BOARD – APRIL 10, 2014

Mr. Steve Porter read the waiver request for §123-21.A.1. **Mr. Thibodeau made a motion, seconded by Mr. Eric Porter, to grant the waiver request for §123-21.A.1.** Mr. Steve Porter asked for Board comment; Mr. Hartmann asked if the restaurant would be open for lunch. Mr. St. Germaine answered in the affirmative. Mr. Hartmann stated that he is concerned with the reduction of parking spaces. Ms. Tobin stated that they are already 80 spaces short. Mr. Steve Porter asked if the site met the standards when it was originally approved. Mr. Irving stated he did not know as it was approved a long time ago.

Mr. Irving stated that we were able to find an alternative parking standard that was significantly lower, but couldn't find one that would fit this site. Mr. Shakir asked if they were losing parking spaces in the rear lot. Mr. Smith stated that they were losing 26 parking spaces due to ADA and truck turning radius. Mr. Smith stated that it is hardly used now and they are not anticipating a problem. **Motion unanimously carried.**

Mr. Thibodeau made a motion, seconded by Mr. Eric Porter, to approve the phasing plan as presented. Motion unanimously carried. Mr. Irving stated that phase I is one year from final approval and phase II is two years from final approval.

Ms. Tobin made a motion, seconded by Mr. Eric Porter, to conditionally approve the Full Site Plan for Red Barn SC, LLC conditionally upon satisfying all pending items indicated on 04/01/14 Planning Staff Report; submitting recorded cross-easement for connecting drive and indicate CCRD Book and page on plan; Town Engineer Approval; payment of supplemental review fees; North Conway Water Precinct water and sewer approval; submitting a copy of a recorded Declaration of Easements and indicating book and page on plan; revising waivers granted table as necessary; 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 July 10, 2014. Motion unanimously carried.

**ATTICUS TAO LLC AND ROWYN REALTY LLC – 2-LOT SUBDIVISION
CONTINUED (PID 231-114) FILE #S14-05**

Wes Smith of Thaddeus Thorne Surveys and Bob Goldman appeared before the Board. This is an application to subdivide 5.71 acres into two lots. **This application was accepted as complete on March 27, 2014.** Mr. Steve Porter asked for Board comment; there was none.

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

Ms. Tobin made a motion, seconded by Mr. Eric Porter, to conditionally approve the subdivision for Atticus Tao LLC and Rowyn Realty LLC conditionally upon Town Engineer Approval; North Conway Fire Chief Approval; NHDES Subdivision Approval and indicating approval number on plan; submitting a Letter of Map Amendment (LOMA) and indicating approval number on plan; adding a note to the plan “Prior to construction applicant is required to obtain a Town driveway permit”; adding Wetland Scientist signature to plan; updating revision notes; adding UG E/T/C Detail #9 (or as prescribed by Town Engineer) to plan; submitting a surety for UG E/T/C under West Side Road; submitting supplemental review fees; submitting four copies of revised plans; submit a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on September 25, 2014. Motion unanimously carried.

OTHER BUSINESS

Committee Reports:

Sign Advisory Committee: The next meeting is April 17, 2014 at 6:30 pm.

April 24, 2014 Planning Board Meeting: Mr. Hartmann made a motion, seconded by Mr. Thibodeau, to cancel the Planning Board meeting of April 24, 2014. Motion unanimously carried.

Meeting adjourned at 8:31 pm.

Respectfully submitted,



Holly L. Meserve
Recording Secretary