

**CONWAY ZONING BOARD  
OF ADJUSTMENT**

**MINUTES**

**FEBRUARY 23, 2005**

A meeting of the Conway Zoning Board of Adjustment was held on Wednesday, February 23, 2005 beginning at 7:35 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Phyllis Sherman; Vice Chair, John Colbath; Luigi Bartolomeo; Andrew Chalmers; Jeanna Hale; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

A public hearing was opened at 7:35 p.m. to consider a **SPECIAL EXCEPTION** requested by **MT. CRANMORE SKI RESORT/RCC ATLANTIC D/B/A UNICEL** in regard to Article 147.13.12.12.12 of the Conway Zoning Ordinance to permit a wireless communication facility equipment trailer in the parking lot at the base of Mt. Cranmore at 239 Skimobile Road, North Conway (PID 214-84).

Ms. Sherman read the application and the applicable section of the ordinance. Mr. Irving stated that this particular facility is not intended to be a permanent facility, therefore, a number of the requirements don't apply. Mr. Irving stated that this facility would be located at the base of Mt. Cranmore in the parking lot. Mr. Irving stated that he is looking for a clarification as to the time frame of this facility. Mr. Irving stated when the bypass is built this Board would treat this application completely different. Mr. Irving stated that a full [major] site plan review is necessary. Mr. Irving stated that Regional notice for the ZBA application was not necessary, as the facility will not be seen from other communities. Mr. Irving stated that he has no concerns or issues with this application.

Jonathan McNeal of RCC Atlantic appeared before the Board. Mr. McNeal stated UniceL and Cingular Wireless are looking to provide service in this area. Mr. McNeal stated that this is a temporary facility, very similar to those used in locations where there is a lot of people, but not all of the time, like a football stadium. Mr. McNeal stated the tower would be 50'; anything above that height would require guide wires. Mr. McNeal stated that this facility is below the tree line and will not be visible except from Old Bartlett Road, Skimobile Road, and the mountain itself.

Ms. Sherman stated item 1 is not applicable as it is not visible outside of Conway. Mr. Colbath asked what is the time frame for this facility. Mr. McNeal stated they would like to have a permanent facility as soon as possible and their preference would be for it to remain until the end of next ski season in case a permanent facility is not found. Mr. Irving asked if June 1, 2006 is sufficient. Mr. McNeal answered in the affirmative.

Ms. Sherman asked if they were looking at locating a new permanent tower somewhere or on an existing tower. Mr. McNeal stated they hope to add to an existing facility. Mr.

**Adopted: March 30, 2005 – As Written**  
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Irving asked why the equipment could not be installed on the tower on Mt. Cranmore now. Mr. McNeal stated they would be the sixth carrier on the monopine and at the level they would be placed it would not provide coverage in the parking lot. Mr. McNeal stated that they have a temporary facility at the top of Black Mountain and currently have applications in for Attitash Mountain. Mr. Irving asked if they looked at the radio station property in Conway Village. Mr. McNeal answered in the affirmative and stated that they would be submitting a building permit for that facility as well as for the facility at Settler's Green.

Ms. Sherman asked how portable is this facility and what needs to be done to move it. Mr. McNeal stated it's basically a portable truck. Ms. Sherman stated the reason for locating it in this type of area is to provide service to the ski area. Mr. McNeal answered in the affirmative. Mr. Irving asked if it has a generator. Mr. McNeal answered in the affirmative. Mr. Bartolomeo asked if the generator is for backup only. Mr. McNeal answered in the affirmative.

There was no one in the audience.

**Mr. Colbath made a motion, seconded by Mr. Chalmers, that all applicable requirements for this facility have been satisfied and that the special exception for Article 147.13.12.12.12 of the Town of Conway Zoning Ordinance be granted conditionally upon major site plan and that this facility be removed by January 1, 2006. Motion unanimously carried.**

**OTHER BUSINESS**

**CMF Development, LLC (PID 235-51.033-51.044) File #05-01 – Motion for Rehearing:** The Board discussed the Motion for Rehearing and determined they would grant the rehearing to clarify the reasons for denial. **Mr. Colbath made a motion, seconded by Mr. Chalmers, to grant the Motion for Rehearing for CMF Development, LLC and for the public hearing to be held on March 30, 2005. Motion unanimously carried.**

**January 26, 2005 Minutes:** **Mr. Colbath made a motion, seconded by Mr. Chalmers, to approve the Minutes of January 26, 2005 as written. Motion unanimously carried.**

Meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Holly L. Meserve  
Recording Secretary