

ZONING BOARD OF ADJUSTMENT

MINUTES

MAY 18, 2016

A meeting of the Conway Zoning Board of Adjustment was held on Wednesday, May 18, 2016 at the Conway Town Office in Center Conway, NH, beginning at 7:05 pm. Those present were: Chair, Phyllis Sherman; Luigi Bartolomeo; Andrew Chalmers; Dana Hylen; Alternate, Steven Steiner; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

APPOINTMENT OF ALTERNATE MEMBER

Ms. Sherman appointed Mr. Steiner as a voting member.

PUBLIC HEARINGS

A public hearing was opened at 7:05 pm to consider a **SPECIAL EXCEPTION** requested by **MCCAULEY REAL ESTATE HOLDINGS, LLC/KERRIL MCCAULEY** in regards to §147.13.8.2.5.3 of the Conway Zoning Ordinance **to allow an eight (8) unit multi-family structure** at 379 White Mountain Highway, Conway (PID 265-154). Notice was published in the Conway Daily Sun and certified notices were mailed to abutters on Friday, May 6, 2016.

Wes Smith of Thaddeus Thorne Surveys and Kerri McCauley appeared before the Board. Ms. Sherman read the application and the applicable section of the ordinance. Mr. Smith stated the applicant would like to convert the existing White Deer Motel to eight residential units. Ms. Sherman asked if there would be any major changes to the exterior of the building. Mr. Smith stated they may enclose a roof overhang, but they plan on just refreshing it.

Ms. Sherman asked for Board comment; Mr. Chalmers asked the acreage. Mr. Bartolomeo answered 0.86 of an acre, which would allow 10.3 units. Ms. Sherman asked if the Town had any input. Mr. Irving stated that he would recommend item #2 be a subsequent condition of approval.

Mr. Steiner stated he is familiar with this site and whatever can be done with this building will be a good thing. Ms. Sherman asked if the designated rental units are 707 square feet. Mr. Smith answered in the affirmative and stated that the layout may change, but not the square footage.

Ms. Sherman asked for public comment; Ms. McCauley stated that she spoke with all the abutters and all were happy with this project.

Ms. Sherman read item 1. **Mr. Hylen made a motion, seconded by Mr. Chalmers, that each structure must contain at least three dwelling units.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 2. **Mr. Hylen made a motion, seconded by Mr. Chalmers, that not less than 25% of all dwelling units shall be designated as full time rental apartments. At the time of Planning Board approval, the units designated as full time rental apartments must be shown on the plan with a condition that they are leased for twenty years from the date of Planning Board approval by the developer and a deed restriction shall be recorded in the Registry of Deeds as evidence of the same.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 3. **Mr. Hylen made a motion, seconded by Mr. Chalmers, that all lots must be serviced by municipal water and sewerage.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 4. **Mr. Hylen made a motion, seconded by Mr. Chalmers, that the Rental/Deed restricted units shall be a maximum of 1,000 square feet and a minimum of 300 square feet.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 5. **Mr. Hylen made a motion, seconded by Mr. Chalmers, that architectural design plans must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the zoning regulations.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Mr. Chalmers made a motion, seconded by Mr. Bartolomeo, that, based on the forgoing findings of fact, the Special Exception pursuant to §147.13.8.2.5.3. of the Town of Conway Zoning Ordinance to allow an eight (8) unit multi-family structure be granted with a subsequent condition that at the time of Planning Board approval the developer shall submit a deed restriction to be recorded at the Carroll County Registry of Deeds. Motion unanimously carried.

A public hearing was opened at 7:14 pm to consider a **VARIANCE** requested by **ANDREW AND TESSA NARDUCCI** in regards to §147.13.4.4 of the Conway Zoning Ordinance **to allow the construction of a building overhang within the side and front setback** at 112 Mechanic Street, North Conway (PID 219-4). Notice was published in the Conway Daily Sun and certified notices were mailed to abutters on Friday, May 6, 2016.

Mr. Bartolomeo stepped down at this time. It was requested that the application be continued until there is a five-member Board. **Mr. Chalmers made a motion, seconded by Mr. Steiner, to continue the public hearing for Andrew and Tessa Narducci until June 15, 2016 at 7:00 pm. Motion unanimously carried.**

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Bartolomeo rejoined the Board at this time. **Mr. Bartolomeo made a motion, seconded by Mr. Chalmers, to approve the Minutes of February 17, 2016 as written. Motion unanimously carried.**

ELECTION OF OFFICERS

Mr. Chalmers made a motion, seconded by Mr. Hylan, to appoint Phyllis Sherman as Chair and John Colbath as Vice Chair. Motion unanimously carried.

Meeting adjourned at 7:30 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Holly L. Meserve". The signature is written in a cursive style with a large, stylized initial "H".

Holly L. Meserve
Recording Secretary