

CONWAY PLANNING BOARD

MINUTES

APRIL 27, 2017

PAGES

- | | |
|---|---|
| 1 | Appointment of Alternate Member |
| 1 | Swearing in of Member |
| 1 | Election of Officers |
| 1 | Review and Acceptance of Minutes <ul style="list-style-type: none">• April 13, 2017 – Adopted as Written |
| 1 | PLPA Realty Trust/Lyman Donohoe, LLC
(PID 244-16 & 17 and 253-6.2) – Boundary Line Adjustment Review (File #S17-04) <ul style="list-style-type: none">• Conditionally Approved |
| 2 | CMR Properties, Inc (PID 214-84.1) – Full Site Plan Review (File #FR17-01) <ul style="list-style-type: none">• Conditionally Approved |
| 4 | Julie A. Dudevoir-Badger and Mark Badger (PID 265-161.102) – Full Site Plan Review (File #FR17-02) <ul style="list-style-type: none">• Conditionally Approved |
| 5 | Other Business <ul style="list-style-type: none">• Ethan and Shannon McKenney (PID 255-10.001) – Request to extend conditional approval• Kearsarge Inn, LLC (PID 218-127) – §123-4.A.5 (File #NA14-07)• Master Plan |

CONWAY PLANNING BOARD

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A meeting of the Conway Planning Board was held on Thursday, April 27, 2017 beginning at 7:00 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Selectmen's Representative, Steven Porter; Vice Chair, Michael Fougere; Steven Hartmann; Raymond Shakir; Steven Steiner; Alternate, Ted Sares; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

APPOINTMENT OF ALTERNATE MEMBER

Mr. Drinkhall appointed Mr. Sares as a voting member.

SWEARING IN OF MEMBER

Mr. Porter swore in Mr. Shakir.

ELECTION OF OFFICERS

Mr. Hartmann nominated, seconded by Mr. Steiner, Mr. Drinkhall as Chair. Motion carried with Mr. Drinkhall abstaining from voting.

Mr. Hartmann nominated, seconded by Mr. Sares, Mr. Fougere as Vice Chair. Motion unanimously carried.

Mr. Drinkhall nominated, seconded by Mr. Fougere, Sarah Verney as Secretary. Motion unanimously carried.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Porter made a motion, seconded by Mr. Hartmann, to approve the Minutes of April 13, 2017 as written. Motion carried with Mr. Sares abstaining from voting.

PLPA REALTY TRUST/LYMAN DONOHOE, LLC (PID 244-16 & 17/253-6.2) – BOUNDARY LINE ADJUSTMENT REVIEW (FILE #S17-04)

Andrew Nadeau of Horizon Engineering appeared before the Board. This is an application to convey 15.73 acres to PID 244-17 (PLPA) from PID 253-6.2 (Lyman Donohoe); to convey 16.34 acres to PID 244-16 (PLPA) from PID 253-6.2 (Lyman Donohoe); and convey 5.29 acres from PID 244-17 (PLPA) to PID 244-16 (PLPA) at 456 East Conway Road, Center Conway (PID 244-16 & 17 and PID 253-6.2). **Mr. Shakir made a motion, seconded by Mr. Fougere, to accept the application of PLPA Realty Trust/Lyman Donohoe, LLC for a boundary line adjustment review as complete. Motion unanimously carried.**

**Adopted: May 11, 2017 – As Amended
CONWAY PLANNING BOARD – APRIL 27, 2017**

Mr. Drinkhall asked for Board comment; Mr. Sares asked if one of the lots contained anything related to a fuel company. Mr. Irving stated they have a propane facility on the front lot; that lot will remain Lyman Oil and some of that property will be conveyed to the back lot.

Mr. Drinkhall asked for public comment; there was none. Mr. Irving stated the applicant is requesting relief of reconstructing the road at this time, but if development occurs it might require the road to be constructed. Mr. Sires asked what surrounds it. Mr. Irving answered the Nature Conservancy land.

Mr. Nadeau read the waiver request for Article X/§131-37.1.A. **Mr. Hartmann made a motion, seconded by Mr. Shakir, to grant the waiver request for Article X/§131-37.1.A.** Mr. Drinkhall asked for Board comment; there was none. **Motion carried with Mr. Sares voting in the negative.**

Ken Cargill stated there is a note on the plan that top soil cannot be removed from the site; he asked if this applies to top soil that has been stockpiled. Mr. Irving stated he would need to know the volumes and the locations. Mr. Cargill stated it was brought onto the site and they want to remove it from the site. Mr. Irving stated he needs time to look into this. **Mr. Porter made a motion, seconded by Mr. Sares, to bring this item to a different Planning Board meeting where there is a grey area in the amount and volume of material.**

Mr. Hartmann stated if this had come to light before with waiver for the road conditions he would have had a different opinion regarding improving the road. Mr. Irving stated this may not be an issue, but he wants the Board to know what it is they are discussing. Mr. Irving stated it may be able to be addressed under a non-applicable. Mr. Nadeau stated it is not being generated on site. Mr. Porter stated we would like to know what exactly we are talking about. Mr. Sares stated we need to know how to dimension something like this with the Master Plan; with the absent of information we have to have another meeting. **Motion unanimously carried with Mr. voting in the negative.**

Mr. Porter made a motion, seconded by Mr. Steiner, to conditionally approve the boundary line adjustment for PLPA Realty Trust/Lyman Donohoe, LLC conditionally upon Town Engineer approval; Redstone Fire Chief Approval; increasing the contour intervals on the plan; submitting four copies of revised plans with original stamps and signatures; 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 27, 2017. Motion carried with Mr. Shakir voting in the negative.

CMR PROPERTIES, LLC (PID 214-84.1) – FULL SITE PLAN REVIEW (FILE #FR17-01)

Josh McAllister of HEB Engineers and Ben Wilcox, General Manager of Cranmore Mountain Resort, appeared before the Board. This is an application to construct a 7,301 square foot amenities building and associated infrastructure for Kearsarge Brook Condominiums on Skimobile Drive, North Conway (PID 214-84.1). **Mr. Porter made a motion, seconded by Mr. Hartmann, to accept the application of CMR Properties, Inc. for a full site plan review as complete. Motion unanimously carried.**

Adopted: May 11, 2017 – As Amended
CONWAY PLANNING BOARD – APRIL 27, 2017

Mr. McAllister stated this is a continuation of the construction of Kearsarge Brook. Mr. McAllister gave an overview of the project. Mr. Drinkhall asked for Board comment; Mr. Hartmann asked what will happen to the fitness center building. Mr. Wilcox stated it will remain; this is a small building for Kearsarge Brook.

Mr. Drinkhall asked for public comment; Larry Garland of the Mount Washington Valley Trails Association stated he spoke with Mr. Wilcox regarding the potential for running a trail through this property and asked if he could outline briefly whether construction allows for recreational egress. Mr. Wilcox stated this building does not come into play with that at all. Mr. Garland stated there is a road in between and asked if this building would be uphill from the service road. Mr. McAllister stated the service road remains.

Mr. Irving read a request to use an alternative parking standard. **Mr. Porter made a motion, seconded by Mr. Shakir, to approve the alternative parking standard.** Mr. Drinkhall asked for Board comment; Mr. Hartmann stated in the winter time that parking lot is a disaster; he won't go near the gym and with no additional parking for that building he thinks they are opening a can of worms. Mr. Wilcox stated it is busy; we did not run out of parking. Mr. Shakir stated the facility is just there for basically who are there already; this is not an extra attraction. Mr. Wilcox agreed. **Motion carried with Mr. Hartmann and Mr. Steiner voting in the negative.**

Mr. Irving read a request to use a substitution to §123-22, parking lot design. **Mr. Porter made a motion, seconded by Mr. Fougere, to approve the alternative parking lot design standard.** Mr. Drinkhall asked for Board comment; Mr. Porter stated that he doesn't have a problem at this point, but at some point, with the on-going development you're going to have to redesign the parking. Mr. Wilcox stated with all our projections it will fit, but he will never say never; they will look for more parking options down the road if it becomes an issue.

Mr. Shakir stated if the parking lots become full, where would be the most obvious place to get spill over, where would people park. Mr. Wilcox stated if the parking was full we would have to turn people away. Mr. Shakir stated there is a possibility that they would park in a residential area. Mr. Wilcox stated if our volume got there we would be looking for parking. **Motion unanimously carried.**

Mr. Irving read a waiver request for §123-6.A; §123-6.B.2; §123-6.B.4, property lines; §123-6.B.4, property line setback depiction; §123-6.B.4, existing buildings (plan view, uses, sizes, elevations); §123-6.B.4, uses, sizes, and FFE of all existing buildings; §123-26; §123-29; and §123-29.A.2. **Mr. Sares made a motion, seconded by Mr. Shakir, to grant the waiver requests for §123-6.A; §123-6.B.2; §123-6.B.4, property lines; §123-6.B.4, property line setback depiction; §123-6.B.4, existing buildings (plan view, uses, sizes, elevations); §123-6.B.4, uses, sizes, and FFE of all existing buildings; §123-26; §123-29; and §123-29.A.2.** Mr. Drinkhall asked for Board comment; Mr. Hartmann asked if all the new lighting associated with the new structure will be IDA compliant. Mr. McAllister answered in the affirmative. **Motion unanimously carried.**

Mr. Porter made a motion, seconded by Mr. Fougere, to conditionally approve the full site plan for CMR Properties, Inc, conditionally upon Town Engineer approval; North Conway Fire Chief approval; North Conway Water Precinct approval; revising the Waivers Granted table on the plan as necessary; a performance guarantee for all site improvements; submitting four copies (three to remain with the Town) of revised plans with original stamps and signatures; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on July 27, 2017. Motion unanimously carried.

JULIE A DUDEVOIR-BADGER AND MARK BADGER (PID 265-161.102) – FULL SITE PLAN REVIEW (FILE #FR17-02)

Mark Lucy of White Mountain Survey and Engineering and Josh White of TMS Architects appeared before the Board. This is an application to construct 7,164 square foot dental office and associated infrastructure at 21A Poliquin Drive, Conway (PID 265-161.102). **Mr. Porter made a motion, seconded by Mr. Sares, to accept the application of Julie Dudevoir-Badger and Mark Badger for a full site plan review as complete. Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; Mr. Shakir asked what is the distance between the front of the building and Route 16. Mr. Lucy answered 250-feet. Mr. Sares stated with the dialysis center, the senior housing and this project, there are some nice developments in that area.

Mr. Drinkhall asked for public comment; Henry Schneider, Pastor of the River Church who owns property behind this development, asked how much of a buffer is going to be there. Mr. Lucy stated their client did not want to cut trees, and the directive was to minimize lot clearing. Mr. Lucy stated there will be a wooded buffer, 50-feet from the limit of cut for the building to the property line; and then from the property line to the northwest corner of your home is another 35-feet. Mr. Lucy stated building to building there is 90-feet. Mr. Schneider thanked Mr. Lucy and stated the dialysis center was a nice development.

Mr. Irving read a request to use an alternative parking standard. **Mr. Hartmann made a motion, seconded by Mr. Sares, to approve the alternative parking standard.** Mr. Drinkhall asked for Board comment; Mr. Hartmann stated it seems like a large building, and asked how many dentists are in the building. Mr. Lucy stated the regulations require that the basement be included in the parking calculations, the actual footprint for the dentist office is 4,764 square feet. **Motion unanimously carried.**

Mr. Drinkhall read a waiver request for §123; §123-20.F/§131-67.C.8.f; §123-29.D.5; §123-29.D.6; and §123-29.D.8. **Mr. Steiner made a motion, seconded by Mr. Shakier, to grant the waiver request for §123; §123-20.F/§131-67.C.8.f; §123-29.D.5; §123-29.D.6; and §123-29.D.8.** Mr. Drinkhall asked for Board comment; there was none. **Motion carried with Mr. Sares abstaining from voting.**

Mr. Steiner made a motion, seconded by Mr. Hartmann, to conditionally approve the full site plan for Julie Dudevoir-Badger and Mark Badger conditionally upon Town Engineer approval; revising the Waivers Granted table on the plan as necessary; a performance guarantee for all site improvements; submitting four copies (three to remain with the Town) of revised plans with original stamps and signatures; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on July 27, 2017. Motion unanimously carried.

OTHER BUSINESS

Ethan and Shannon McKenney (PID 255-10.001) – Request to extend conditional approval (File #S16-13): Wes Smith of Thaddeus Thorne Surveys appeared before the Board. **Mr. Sares made a motion, seconded by Mr. Shakir, to extend the conditional approval for Ethan and Shannon McKenney until July 27, 2017. Motion unanimously carried.**

Kearsarge Inn, LLC (PID 218-127) - §123-4.A.5 (File #NA17-07): Shawn Bergeron of Bergeron Technical Services appeared before the Board. This is a request to construct a 20' x 20', 800 square foot building for two additional lodging units at 42 Seavey Street, North Conway (PID 218-127).

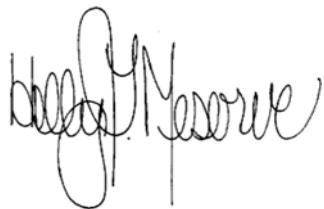
Mr. Bergeron stated a parking problem does not exist; however, they have proposed a parking easement on the Deacon Street property [PID 218-126]. Mr. Sares stated those businesses are starting to get popular and parking has become an issue, be careful as it is not as neat as you think it is. Mr. Shakir asked what is the relationship between the two properties. Mr. Bergeron stated they are the same owner, just under two separate business enterprises.

Mr. Porter made a motion, seconded by Mr. Steiner, that under unusual circumstances in the past the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the construction of a 20' x 20', 800 square foot building for two additional housing units 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.

Master Plan: Mr. Irving asked the Board to review the Master Plan and let him know if they have any questions, concerns or proposed changes.

Meeting adjourned at 8:34 pm.

Respectfully Submitted,



Holly L. Meserve, Recording Secretary