

**CONWAY PLANNING BOARD**

**MINUTES**

**JUNE 11, 2015**

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**CONWAY PLANNING BOARD**

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**JUNE 11, 2015**

A meeting of the Conway Planning Board was held on Thursday, June 11, 2015 beginning at 7:02 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Selectmen's Representative, Steven Porter; Secretary, Kevin Flanagan; Martha Tobin; Ray Shakir; Planning Director, Thomas Irving and Recording Secretary, Karen Hallowell.

**REVIEW AND ACCEPTANCE OF MINUTES**

**Mr. Porter made a motion, seconded by Mr. Shakir, to approve the Minutes of May 28, 2015 as written. The motion carried 3-0-2 with Messrs. Shakir, Porter and Drinkhall voting in the affirmative and Ms. Tobin and Mr. Flanagan abstaining.**

**KATHY GARLAND – NOTICE OF REVOCATION PURSUANT TO RSA 676:4-A, I (a) (PID 252-37.4) FILE #FR05-18**

Mr. Irving advised that the applicant has requested that the Site Plan, File #FR05-18 approved January 10, 2006, to demolish the existing 2,940 square foot building and construct a new 5,000 square foot retail building at 545 Eastman Road, Conway be revoked. Mr. Irving further advised that this has been recorded at the registry of deeds and now the applicant no longer wants to go forward with the project. Also, we are holding a substantial amount of bonding as part of the approval. Mr. Irving stated that the RSA allows the Board to revoke an approval if requested by the applicant. Mr. Irving stated that the abutters can call for a public hearing; however, staff has noticed this as a public hearing.

Mr. Drinkhall asked for public comment. There were no public comments. Mr. Drinkhall next asked for Board comments. There were no Board comments.

**Mr. Porter made a motion, seconded by Ms Tobin, that the request of the applicant to revoke the Planning Board approval granted January 10, 2006 [File #FR05-18] to demolish the existing 2,940 square foot building and construct a new 5,000 square foot retail building at 545 Eastman Road be granted. Motion carried unanimously.**

**SANDRA AND ANDREW KIDDER AND JESSICA FADDEN (FILE #S15-06) – BOUNDARY LINE ADJUSTMENT (PID 241-3.1 & 3.2)**

Seth Burnell of HEB Engineers appeared before the Board. This is an application to convey 17,078 square feet of land from PID 241-3.1 (Kidder) to PID 241-3.2 (Fadden) at 2520 & 2534 East Conway Road, Conway. Mr. Burnell gave a brief overview of the application and reviewed a map of the property with the Board. Mr. Burnell explained that there is a small lot and a large lot and they are proposing a boundary line adjustment that will add about 4/10 of an acre to the smaller lot and it will become approximately one acre.

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**Mr. Porter made a motion, seconded by Ms. Tobin, to accept the application of Sandra and Andrew Kidder and Jessica Fadden as complete for a Boundary Line Adjustment review. Motion carried unanimously.**

Mr. Drinkhall asked for Public comment. Charlie Birch was present and asked to see the plan. Mr. Irving reviewed the plan with Mr. Birch. Mr. Birch stated he was all set and thank you.

Mr. Drinkhall asked for Board comment. Mr. Porter asked if the Kidders had been before this Board for lot line adjustments previously and is the purpose to make the non conforming lot conforming. Mr. Burnell stated that it is conforming, it will make it bigger. Mr. Porter next asked about street trees. Mr. Burnell stated there was a planned unit development in 2006 or 2007, but this was not done by him. He has not asked for such a waiver before.

There were no further questions from board.

Mr. Drinkhall read a waiver request for §131-37.1. **Mr. Porter made a motion, seconded by Mr. Shakir, to approve the waiver request for §131-37.1.** Mr. Drinkhall asked for Board comment. There were no Board comments. **The motion carried unanimously.**

Mr. Irving asked Mr. Burnell if his client is okay with removing the building that is within the building set back. Mr. Burnell stated he spoke with his client today and they already removed an encroaching lean-to that was in the setback. Mr. Burnell next stated that what he has been told is that they have not removed the shed itself and they may or may not wish to do so. Mr. Irving asked for clarification that they have removed the part that was encroaching in the set back and now there is no encroachment and no zoning violation. Mr. Burnell stated that is what he has been told. He had put in on the plan a couple of weeks ago as he didn't know when they were moving it. Mr. Irving advised that this will slightly change the conditions then.

**Mr. Porter made a motion, seconded by Mr. Flanagan, to approve the Boundary Line Adjustment for Sandra and Andrew Kidder and Jessica Fadden conditionally upon the plans being amended to show that the shed and any encroaching structures have been removed from the setback; submitting a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on September 10, 2015. Motion carried unanimously.**

#### **OTHER BUSINESS**

**Barbara Iorfino (File #FR14-05) – Conditional approval expiring (PID 215-31):** Mr. Irving stated that the conditional approval for Barbara Iorfino expired on May 28, 2015 and the applicant did not meet the conditions nor did they ask for an extension. Mr. Irving explained this is for a doctor's office across from Memorial Hospital. The applicant was notified. The agent for the applicant advised they are not pursuing this now and may come back with a plan for a smaller building in the future.

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**Ms. Tobin made a motion, seconded by Mr. Porter, to deny the full site plan application submitted by Barbara Iorfino because the conditions of the conditional approval have not been met and the conditional approval expired on May 14, 2015. Motion carried unanimously.**

**Committee Reports:**

**Sign Advisory Committee:** Mr. Porter reported the Sign Committee met recently and got a lot of work done pertaining to interior lit signs. The consensus was that the next time they meet they will pretty well have it wrapped up. Mr. Irving stated that a draft ordinance was created based on what the subcommittee has requested and that he has reviewed same with the Code Compliance Officer as well. The Code Compliance Officer has pointed out a few things in the draft that the Committee may want to address, for instance internally lit directional signs and free standing signs and other signs that do not require permits. Mr. Irving stated there are still some bugs to work out but that the Committee did work hard on this at the last meeting. Mr. Porter next stated that the recommendations give businesses the opportunity to turn nonconforming signs into conforming signs. They are town friendly and business friendly.

Mr. Porter advised that the next meeting of the Sign Committee is scheduled for July 2, 2015.

**Master Plan** – Mr. Drinkhall asked about updates to the Master Plan. Mr. Irving advised that he would get this information to Mr. Drinkhall. Mr. Irving further advised that if anyone else wants copies it can be emailed or it is also available on the Internet. There was a brief discussion by the Board about updating the Master Plan. Mr. Irving stated that Board members could review the Master Plan and determine if there are any amendments they would like to consider.

**June 25, 2015 Planning Board Meeting:** Mr. Irving advised that there is nothing for the agenda for the June 25, 2015 Planning Board meeting and suggested canceling same. **Mr. Drinkhall moved, seconded by Ms. Tobin, to cancel the meeting of June 25, 2015. The motion carried unanimously.**

**August 13, 2015 Planning Board Meeting:** Mr. Irving advised that he will not be available for the August 13, 2015 Planning Board meeting and Paul DegliAngeli may not be available either. To date there are no applications for that meeting and all of the consultants that he spoke with don't plan on submitting anything for that date. **Ms. Tobin moved, seconded by Mr. Flanagan, to cancel the August 13, 2015 meeting.** Mr. Flanagan questioned if the Board needs to hold a minimum number of meetings a year. Mr. Irving advised there is no minimum number but that the Board does have to meet every thirty days. **The motion carried unanimously.**

**Miscellaneous:** The Board held brief discussion of projects that may come before them including the Old LL Bean property, former drive in site, Fandangle's property, etc.

Mr. Porter stated that sewer lines are being installed at the front of the Lamplighter Park and he has heard that they are taking the drainage and burying it under Route 16 and dumping it into the Saco River. This information alarms him and he didn't know that this is allowable. It is his

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understanding that work on this will be starting around June 15. Mr. Irving stated that his understanding as told by the engineers is that the water being drained is the water in the trench itself and not the storm drains. There was further brief discussion. Mr. Irving suggested speaking with the Town Engineer, Paul DegliAngeli, to get an explanation.

**ADJOURN**

At 7:40 p.m. **Mr. Drinkhall moved, seconded by Mr. Shakir, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karen J. Hallowell", written over a horizontal dashed line.

Karen Hallowell  
Recording Secretary