

CONWAY PLANNING BOARD

MINUTES

July 13, 2017

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 - June 8, 2017

- 1 **DDK BLOCK LLC – CONCEPTUAL REVIEW** to change the use to a restaurant at 2730 White Mountain Highway, North Conway (PID 218-50).

- Other Business

2. **1717 White Mountain Highway, LLC/Merlino’s Steakhouse – §110-4.A.5 (File #NA17-08)** to demolish existing ground floor glass partition and construct a two-story addition at 1717 White Mountain Highway, North Conway (PID 235-84).

- 3 **Upper Saco Valley Land Trust** to propose developing a small parking lot on the parcel of protected land, known as Leita Monroe Lucas Preserve, next to Green Hill Road near the Chatham border. (Map 2013-060)

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A meeting of the Conway Planning Board was held on Thursday, July 13, 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 Steiner; Ted Sares, Alternate; Planning Director, Thomas Irving; and Substitute Recording Secretary, Theresa Ann Gallagher.

Absent were: Secretary, Sarah Verney; Steven Hartmann; Raymond Shakir; and Recording Secretary, Holly Meserve

Also attending: Kyle Bergeron and Kate Richardson, Bergeron Technical Services, LLC; Rick Luciano, Merlino Steakhouse; Doug Burnell, Upper Saco Valley Land Trust; Sheila Duane, former Chairperson of the Planning Board

Chairperson Bob Drinkhall announced the first order of business, to appoint Ted Sears, Alternate, as a voting member for the evening.

REVIEW AND ACCEPTANCE OF MINUTES

The Minutes of June 8, 2017 Planning Board meeting were reviewed. **Mr. Porter made a motion to approve the minutes of the June 8th, 2017 Planning Board meeting as written; seconded by Mr. Steiner. Mr. Drinkhall asked for a vote to accept the motion; passed unanimously 5-0-0.**

DDK BLOCK LLC – CONCEPTUAL REVIEW to change the use to a restaurant at 2730 White Mountain Highway, North Conway (PID 218-50).

Kate Richardson and Kyle Bergeron, of Bergeron Technical Services, appeared before the Board to describe their project for the conceptual review. The location for this project is the commonly known House of Jerky building in North Conway. The owner is proposing a change of use in the rear part of the building, currently a barn-like structure that is not in use. They come before the board to see how the Planning Board will receive the change of use to a restaurant. Mr. Irving advised the Board that for the conceptual consultation there is nothing binding on the applicant or on the Board, and he suggested not to discuss too many details. Mr. Fougere asked if the restaurant will have open air rooftop seating. Ms. Richardson said yes, that's the plan. Mr. Porter commented that an issue to consider is the impact of increased parking at that location, as well as the impact it will have on the neighboring shops. He believes that the village is maxed out right now. Parking is a premium. Increased parking demands would put a burden on the village. Mr. Steiner suggested that the project be discussed with the owners of the neighboring shops to see what they have to say. Mr. Irving clarified that the restaurant would seat a maximum of 155 customers, which requires 33 more parking spaces at that location, by the Town's

standards. If the application would go forward, the applicant would have to seek a waiver of the parking standards, or seek an alternative standard that the Board might consider for addressing the parking demand. Mr. Porter asked if there is such a standard in the village that could be used to accommodate both the applicant and the neighbors so there wouldn't be any problems. There were no other Board comments. Mr. Drinkhall opened the discussion for public comment. There were no public comments, and public comment closed. Mr. Irving asked if there were any design or conceptual questions that the applicant has for the Board. Ms. Richardson stated that the owner has done significant improvements to the front of the building, and would like to continue making improvements to the rear of the building. They need to generate income in order to make that happen. The building is in the middle of the village and is pretty much in need of repairs. Improving the building will also improve the village's appearance. The applicant would like to hear from the Board any suggestions they may have to make this project work. Mr. Sares asked who owns the building and who would be the proprietor of the restaurant; Ms. Richardson stated that Phil Kerridge and Matt Debendo own the building. Mr. Porter asked about using the building for retail as an alternative. His biggest concern is the parking, and the retail would call for more walking customers and would reduce the impact. Mr. Bergeron asked if the impact would be less if they reduce the number of seating. Mr. Drinkhall suggested not getting into too much detail at this time. He asked what time of day the restaurant would be open. Ms. Richardson said it would be for breakfast and lunch. Former Planning Board Chairperson, Sheila Duane, reminded the Board that once the Planning Board approves the change of use for a restaurant, the time of day it operates is not dictated by the Town. Mr. Porter commented that the open air seating does not seem like a breakfast or lunch atmosphere. A question was asked if the Planning Board would apply conditions to an approval; Mr. Irving stated that it has not been done in the past, but it doesn't mean they couldn't do that in the future. Mr. Irving concluded the discussion by suggesting that the applicant consider addressing the principle issue of parking; he also strongly suggested that they communicate with their neighbors, because any parking deficiency that this use would result in, would spill over into adjacent parking lots that are privately owned.

OTHER BUSINESS

1717 White Mountain Highway, LLC/Merlino's Steakhouse – §110-4.A.5 (File #NA17-08)
to demolish existing ground floor glass partition and construct a two-story addition at 1717 White Mountain Highway, North Conway (PID 235-84).

Mr. Richard Luciano introduced himself as the owner of Merlino's Steak House. Mr. Irving explained to the Board that Mr. Luciano is proposing to renovate his building, by removing the sun room and using conventional construction techniques that match the rest of the building, and to add seating to the second floor. Mr. Irving could not approve the project because it exceeds the amount of square footage that he has the authority to approve. Mr. Luciano is not proposing to increase any of the seating; the construction will be maintained and will not cause any encroachment on any of the setbacks. Mr. Luciano explained three reasons why he wants to do this project: first, the room is antiquated and an eye sore; second, and the real purpose is to relocate the main entrance to the side for safety reasons, increasing the lobby area and make it more efficient; third, to increase the seating upstairs to make up for the seating lost downstairs in the greenhouse. There will remain the same amount of seating and no increase to the footprint.

Mr. Drinkhall asked for comments from the Board; he also asked for comments from the public. There were none. **Mr. Drinkhall asked for a motion to make a finding that the proposed changes to the sight are insignificant relative to the existing development and pursuant to provisions of §110-4.A.5 a site plan review will not be applicable. Mr. Porter made the motion; seconded by Mr. Steiner. Motion unanimously carried. 5-0-0.** Mr. Irving stated to Mr. Luciano that his next step is to apply for a building permit, which will also cover the demolition.

OTHER BUSINESS NOT ON THE AGENDA – Mr. Irving stated that, due to the urgency and the fact that the Planning Board has no other business on the agenda for July 27th, he suggests that the Planning Board consider hearing Mr. Doug Burnell, representing the Upper Saco Valley Land Trust, which has secured a large parcel of land on Green Hill Road adjacent to the Chatham Town Line; they are proposing putting a small parking lot at the trail head for visitors to use. Mr. Irving presented a map showing the property and the location of the small parking lot that would lead to the hiking trails. Mr. Irving could not approve the project because it exceeds the amount of square footage that he has the authority to approve. The property owner is seeking that the Planning Board find that the proposed changes to the sight are insignificant relative to the existing development, pursuant to provisions of §110-4.A.5 a site plan review will not be applicable. Mr. Drinkhall asked for comments from the Planning Board. Mr. Steiner asked if parking will increase to become a problem similar to the parking problem at Diana's Bath location. Mr. Bergeron explained that there will only be 4 parking spaces, but 4 more parking spaces could be added to the other side of the proposed parking. Mr. Irving stated that if they wanted to add more spaces in the future, the Upper Saco Valley Land Trust could reappear before the Planning Board. Mr. Sares commented that there is no comparison to the parking problem that occurred at Diana's Bath, which draws visitors to the waterfalls. **Mr. Fougere made a motion to find the proposed changes to the sight are insignificant relative to the existing size of the property, pursuant to provisions of §110-4.A.5 a site plan review will not be applicable. Motion seconded by Mr. Porter. Motion unanimously carried. 5-0-0.**

Mr. Irving announced to the Planning Board that there is no other business to come before the Planning Board on July 27th. **Mr. Drinkhall asked for a motion to cancel the July 27th Planning Board meeting, since no business is currently on the agenda. Motion made by Mr. Porter; seconded by Mr. Steiner. Motion unanimously carried. 5-0-0.**

Meeting adjourned at 7:25 pm.
Respectfully Submitted,

Theresa Ann Gallagher,
Recording Secretary