

CONWAY PLANNING BOARD

MINUTES

APRIL 12, 2012

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CONWAY PLANNING BOARD

MINUTES

APRIL 12, 2012

A meeting of the Conway Planning Board was held on Thursday, April 12, 2012 beginning at 7:02 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Mary Seavey; Secretary, Patricia Sell; Steve Hartmann; Kevin Flanagan; Alternate, Raymond Shakir; Planning Director, Thomas Irving; and Recording Secretary, Karen Hallowell.

APPOINTMENT OF ALTERNATE MEMBER

Mr. Porter appointed Mr. Shakir as a voting member.

REVIEW AND ACCEPTANCE OF MINUTES

Ms. Sell made a motion, seconded by Ms. Seavey, to approve the Minutes of March 22, 2012 as written. The motion carried 4-0-2 with Ms. Sell and Mr. Flanagan abstaining.

DASAN PROPERTIES, LLC/RICHARD AND MARGARET MARGOLIS/THOMAS GERSON/JILL GERSON PARKER (PID 260-51 & 52) FILE #S12-03

Wes Smith of Thaddeus Thorne Surveys appeared before the Board. This is an application to add 0.25 of an acre to PID 260-51 (Dasan) from PID 260-52 (Margolis/Gerson/Parker). Mr. Smith presented a map of the property and reviewed same with the board. The parcel is 128 acres and they propose adding .25 of an acre to the left side of the property to give the possibility of expansion to the Cobble Pond property. They are doing this to be able to possibly plan for expansion in the future.

Mr. Hartmann made a motion, seconded by Ms. Sell, to accept the application of Dasan Properties LLC/Richard and Margaret Margolis/Thomas Gerson/Jill Gerson Parker for a boundary line adjustment review as complete. Motion carried.

Mr. Porter asked for board and public comments. There were none.

Mr. Porter read a waiver request for §131, Table 2, minimum centerline intersection offset. **Ms. Sell made a motion, seconded by Mr. Flanagan, to grant the waiver request for §131, Table 2, minimum centerline intersection offset.** Mr. Porter asked for Board comment. There were no comments. Mr. Porter asked for public comment. There were no public comments. **The motion carried unanimously.**

Mr. Porter again asked for any other questions on comments on this matter. There were none. Mr. Porter closed public comments at 7:08 p.m.

Mr. Flanagan made a motion, seconded by Ms Sell , to conditionally approve the boundary line adjustment for Dasan Properties, LLC/Richard and Margaret Margolis/Thomas Gerson/Jill Gerson Parker conditionally upon Center Conway Fire Chief approval; A Mylar; a performance guarantee for street trees and monuments; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on July 12, 2012. Mr. Irving asked the applicant if this time period was acceptable to them and the applicant responded in the affirmative. The motion carried unanimously.

OTHER BUSINESS

Dasan Properties, LLC/Saco River Motor Lodge - §123-4.A.5 (PID 258-31) File #NA12-06: Wes Smith of Thaddeus Thorne Surveys appeared before the Board.

Mr. Irving reviewed Dasan Properties, LLC, are proposing a playground area and expansion of a concrete patio around the pool at the Saco River Motor Lodge property. Mr. Irving presented a plan of the proposed changes and reviewed same with the Board.

Ms. Seavey questioned if any of this work had already been done. Mr. Irving advised they have removed some of the vegetation and are installing a safer fence but they have not proceeded with any work yet on the concrete slab.

Mr. Shakir stated the concrete slab is self-explanatory but he would like to know what they are proposing for the playground. Mr. Irving advised sandboxes, swing sets, etc. Mr. Smith advised they wanted to designate an area for the playground. Mr. Hartmann asked about greenspace. Mr. Irving advised there is some reduction of greenspace.

Ms. Sell questioned if the chain link fence is shown on the plan now. Mr. Smith responded in the affirmative. Mr. Irving explained that they recently replaced the chain link fence with a fence that is more secure. Ms. Sell questioned if they will expand the fence to the outside of the patio area. Mr. Smith advised that he is not sure.

Mr. Hartmann made a motion, seconded by Ms. Sell, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the expansion to the concrete patio slab around the existing pool by 1,800 square feet and the construction of a 2,400 square foot play area 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. The motion carried unanimously.

Wilmark II LLC/Crest Chevrolet - §123-4.A.5 (PID 242-2) File #NA12-05: Josh McAllister of H.E. Bergeron Engineers and Chris Weiss of Crest Chevrolet appeared before the Board. Mr. Irving reported this is a request to see if the materials proposed for the exterior of the Crest Chevrolet are consistent with their site plan review. Mr. Irving distributed a sample of the material proposed to the Board for review. Mr. Irving next advised that our architectural guidelines require natural materials or ones that look like natural material.

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Mr. McAllister advised they are proposing to remove some material from the building and replace it with this proposed concrete material. They are here to see if this material is consistent with the town regulations. Mr. McAllister next advised that Chevrolet dealers across the country are being asked to upgrade their appearance. They have to find a material that will be acceptable to Chevrolet and the Town of Conway.

Mr. Irving next advised that if they were overlapping the material this may be appropriate; however, they are proposing to put this material up as one contiguous sheet.

Ms. Sell stated that the materials are inconsistent with the Town of Conway Site Plan Regulations and she cannot support this proposal.

Mr. Shakir questioned which portions of the building they are making changes to. Mr. McAllister advised they are making changes to the service center and the main façade.

Mr. Shakir questioned if the materials are acceptable. Mr. Irving replied in the negative and stated they would have to go through the waiver process; however, if this Board finds the material as proposed is acceptable then you have to say this is acceptable to all.

Mr. Shakir questioned Mr. McAllister if they did a cost comparison of this material to cultured stone. Mr. McAllister stated that cultured stone would be acceptable to them but it is not acceptable to Chevrolet. Mr. Irving added it is not consistent with what GM Corporation wants. There was a brief discussion of GM's requirements. Mr. McAllister advised that whatever material they come up with they still have to bring the material back to GM and they could say no –even if it does pass the Planning Board.

Ms. Sell reiterated she cannot support the proposed material. Ms. Seavey stated if they were going with a new building she couldn't support it, but if they are changing the existing concrete building now then she may not be in disapproval of it. She would be concerned if it were a new building. Mr. Irving explained this case may very well be qualified for a waiver but the Board would have to say this would be an acceptable material and, if they do, this would have to be an acceptable material for all in the future. Also, their problem is if they open the site plan review they would have to go through the whole process. Further, they have to work with GM Corporation and find a material that doesn't conflict with the Town of Conway.

Mr. Irving next reiterated what they are asking tonight is if the material they are proposing is consistent with the Town of Conway and if this Board's answer is yes then anyone can use this material.

Mr. Flanagan made a motion, seconded by Ms. Sell, that the Planning Board determined that based on the provisions of §123-4. A. 5, regarding applicability that the architectural upgrades to the existing building 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. The motion failed unanimously.

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Mr. Irving next stated the applicant is looking for a non-binding view from this Board so that they can report back to GM on. They want to know if you would seek a waiver of the architectural requirements and if you would allow them to use this material in this particular circumstance. Mr. McAllister stated they want to still be able to ask for a waiver and bring this material before this Board and in this case they would not be setting precedent and the material would only be used for this project. Mr. Irving reminded everyone they still have to check with GM on this material as well.

Mr. Shakir stated yes he would approve the material. Kevin Flanagan stated he does not approve. Mr. Hartmann stated for him it is not necessarily the material but the application of the material. He would hate to say know but would like to see them come back with something different. He is on the fence on this matter. Ms. Sell stated the material does not meet the architectural requirements. Ms. Seavey stated she would not support this. Mr. Porter stated no as well and added that we are trying to be consistent with what we ask everyone to do. Mr. Porter next added to the applicants to please not take this as a statement of anti-business in any way. Mr. McAllister and Mr. Weiss both stated they understand and do not feel this way at all.

Appointments to Planning Board – Mr. Porter stated that as the Board is aware, Scott Lees resigned from his position on the Conway Planning Board. Mr. Irving read aloud the resignation letter from Mr. Lees. (Copy attached). Mr. Porter next stated we now have a vacancy and the RSA states it is filled by the Planning Board for the unexpired term. Mr. Lees term was to end in 2013 and if you choose to appoint someone it will be until the 2013 Town Meeting. Mr. Porter next stated that Ray Shakir would like to put his name in for consideration (a copy of a letter from Mr. Shakir is attached hereto) and, also, that he would like to put his name in as well to fill the term.

Ms. Seavey moved, seconded by Ms. Sell to appoint Steve Porter to fill Scott Lees position for the remainder of the term. There was brief discussion on the procedure and voting on filling the position. **The motion carried 4-2-0 with Messrs. Hartmann and Porter and Meses. Sell and Seavey voting in the affirmative and Messrs. Flanagan and Shakir voting in the negative.**

Mr. Irving next questioned if the Board would like reaffirm Mr. Shakir as an alternate. **Mr. Flanagan moved, seconded by Mr. Porter, to reaffirm Ray Shakir as an alternate on the Planning Board.** Mr. Shakir advised he would agree to accept this position. **The motion carried 5-0-1 with Mr. Shakir abstaining.**

Mr. Irving next advised that Larry Martin has also expressed an interest in a position as an alternate on the Planning Board. **Ms. Sell moved, seconded by Ms. Seavey, to appoint Larry Martin as an alternate on the Planning Board. The motion carried unanimously.**

Mr. Flanagan advised that he would not be in attendance at the next two Planning Board meetings. He will be here the end for May for the last meeting of the month.

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Mr. Porter stated appointments would be made at the next meeting and questioned if there are any positions Mr. Flanagan is interested in being appointed to. Mr. Flanagan responded in the negative.

Committee Reports: There are none.

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Karen J. Hallowell". The signature is written in a cursive style and is positioned above a dashed horizontal line.

Karen J. Hallowell
Recording Secretary

Scott Lees
P.O. Box 2083
North Conway, New Hampshire 03860

April 3, 2012

TO: Conway Planning Board

RE: Letter of resignation

Dear Mr. Chairman,

Please accept this letter as my intent to resign from the planning board. I do not feel it is fair to the voting public that I can no longer put the time into my elected position. It is with deep regret that I must resign. I wish you all well and hope you can continue on the path we are headed as a community, promoting business and upholding the representation of the tax paying citizens.

I learned a great deal over the past two years and someday hope to come back to the Conway political arena in some capacity. Once again, thank you and I wish you all well both in the planning process and in your personal lives.

Respectfully,

Scott Lees

April 18, 2012

Raymond Shakir

282 Birch Hill Rd.

North Conway, NH 03860

(603) 356 9619

rayshak@aol.com

Re: Request for permanent Appointment.

Dear Mr. Irving and Planning Board Members:

Relative to Mr. Scott Lees letter of resignation (re: letter 4/3/12), I hereby request appointment as a permanent member to the Planning Board. I believe my participation as an alternate during recent meetings clearly demonstrates my passion and enthusiasm for Board affairs. Accordingly, I would consider it a privilege to provide my services and promise to work hard in order to promote prosperity and a better life for our entire Community.

Sincerely,

Raymond Shakir