

CONWAY PLANNING BOARD

MINUTES

MARCH 23, 2023

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CONWAY PLANNING BOARD

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A meeting of the Conway Planning Board was held on Thursday, March 23, 2023 beginning at 7:05 pm at the Conway Town Office, Conway, NH. Those present were: Chair, Benjamin Colbath; Selectmen's Representative, Steven Porter; Vice Chair, Ailie Byers; Secretary, Erik Corbett; Bill Barbin; Eliza Grant; Mark Hounsell; Planning Director, Jamel Torres; and Planning Assistant, Holly Whitelaw. Alternate Ted Phillips was in attendance.

REVIEW AND ACCEPTANCE OF MINUTES

Ms. Byers made a motion, seconded by Mr. Barbin, to approve the Minutes of March 9, 2023 as written. Motion carried unanimously.

AGENDA OUT-OF-ORDER

Ms. Byers made a motion, seconded by Ms. Grant, to take items #2, #3, #4 and Conway Poker Room & Casino, LLC and GREP WMH II, LLC under Other Business out-of-order. Motion carried with Mr. Hounsell as present.

MAJM HOLDINGS, LLC (FILE #FR23-03 & #S23-04) – CONCURRENT FULL SITE PLAN AND 12-UNIT SUBDIVISION REVIEW

This is an application to demolish two existing motel buildings and a maintenance building at the rear of the site, construct a 20,715 (footprint) square foot, 3-story, 97-room hotel with 8 residential units, and construct a 1,500 square foot residential unit with associated infrastructure; and create three (3) commercial units and nine (9) residential units at 1769 White Mountain Highway, North Conway (PID 235-77).

Mr. Torres stated that the applicant has requested a continuance until April 27, 2023. **Mr. Hounsell made a motion, seconded by Mr. Porter, to continue the full site plan review for MAJM Holdings, LLC until April 27, 2023 at 7:00 pm. Motion carried unanimously.**

SETTLERS R2, INC. (FILE #FR22-09) – FULL SITE PLAN REVIEW REHEARING (PID 235-89 & 89.002)

This is a rehearing granted to Bellevue Properties, Inc. to change the use of Building G from retail to retail and restaurant/lounge at 39 Common Court, North Conway. Mr. Torres stated the applicant has requested a continuance until April 27, 2023. **Mr. Porter made a motion, seconded by Ms. Byers, to continue the rehearing for Settlers R2, Inc. requested by Bellevue Properties, Inc. until April 27, 2023 at 7:00 pm. Motion carried with Mr. Barbin abstaining from voting.**

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STEVEN B. AND ANITA S. CHENEY REVOCABLE TRUSTS (FILE #FR23-01 & #S23-01) CONCURRENT FULL SITE PLAN AND UNIT SUBDIVISION REVIEW CONTINUED (PID 216-13)

This is an application to construct a 4,200 square foot multi-unit storage building and create a commercial unit subdivision at 77 Old West Side Road, North Conway. Mr. Fisher submitted photometric plans. This application was accepted as complete on January 26, 2023.

Mr. Torres stated that the applicant has requested a continuance until April 13, 2023. **Mr. Porter made a motion, seconded by Ms. Byers, to continue the concurrent site plan and unit subdivision review for Steven B. and Anita S. Cheney Revocable Trusts until April 13, 2023 at 6:00 pm. Motion carried unanimously.**

OTHER BUSINESS

Conway Poker Room & Casino, LLC (File #NA23-05): This is a request to renovate an 11,700 square foot space within the existing building (previous supermarket) to a restaurant/charitable gaming center at 234 White Mountain Highway, Conway (PID 265-147).

Mr. Torres stated there has been a request to continue this rehearing until April 13, 2023. **Mr. Porter made a motion, seconded by Ms. Grant, to continue Conway Poker Room & Casino, LLC until April 13, 2023 at 6:00 pm. Motion carried unanimously.**

GREP WMH II, LLC (File #FR21-15 & #S21-19) – Request to extend conditional approval (PID 235-87): Chris Meier appeared before the Board. Mr. Meier stated the relocation of the connecting drive caused some problems with a tenant, therefore, they are requesting an extension. Mr. Porter stated he is disheartened with the shape of the property, and asked the Mr. Meier ask his client to clean it up a bit. Mr. Meier stated he would pass that along.

Mr. Colbath made a motion, seconded by Mr. Porter, to extend the conditional approval for GREP WMH II, LLC until October 26, 2023. Motion carried unanimously.

MICHAEL MEDEIROS (FILE #S23-05) – BOUNDARY LINE ADJUSTMENT REVIEW (PID 298-54 & 55 AND PID 299-32)

Paul King of Paul King Surveying and Engineering appeared before the Board. This is an application to convey 0.550 of an acre to PID 298-54 from PID 298-55; and convey 0.451 of an acre to PID 299-32 from PID 298-55 resulting in two lots of record at 17 Medeiros Lane, Conway.

Mr. King reviewed the application. **Mr. Colbath made a motion, seconded by Mr. Porter, to accept the application of Michael Medeiros for a boundary line adjustment review as complete with the staff report. Motion carried unanimously.**

Mr. Colbath asked for Board comment; there was none. Mr. Colbath asked for public comment; there was none.

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Mr. King read a waiver request for §130-23.C., E., G., J., K., N., O., T., U., V. & W.; §130-24.C., F., R. & U; §130-25.B.; §130-28.; and §130-36.A. & B. **Mr. Porter made a motion, seconded by Ms. Grant, to accept the waiver request for §130-23.C., E., G., J., K., N., O., T., U., V. & W.; §130-24.C., F., R. & U; §130-25.B.; §130-28.; and §130-36.A. & B.** Mr. Colbath asked for Board comment; there was none. **Motion carried unanimously.**

Mr. Porter made a motion, seconded by Ms. Grant, to conditionally approve the boundary line adjustment for Michael Medeiros conditionally upon adding waivers granted to the plan; submitting four copies of revised plans with original stamps and signatures; submitting a Mylar for recording; a performance guarantee for all on-site improvements [if necessary]; a performance guarantee for all off-site improvements [if necessary]; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on March 28, 2024. Motion carried unanimously.

OTHER BUSINESS CONTINUED

Jan G. Filip IV/603 Street Eats (File #NA23-03): Mike Simoni of 603 Street Eats appeared before the Board. This is a request to allow a food trailer for a temporary time of May to November at 36 Kearsarge Road, North Conway (PID 218-102).

Mr. Colbath asked for Board comment; Mr. Porter asked about public restrooms. Mr. Simoni stated he will fence in a little corner and have a porta-potty. Mr. Colbath asked about trash removal. Mr. Simoni stated he will take care of it.

Mr. Colbath asked for public comment; Sheila Duane of the Tarberry Company asked that they consider having a second porta-potty for others to use. Ted Phillips asked if the power source is a generator. Mr. Simoni answered in the negative and stated Eversource will run a temporary power pole. Mr. Phillip asked if there is only one truck. Mr. Simoni answered in the affirmative.

Mr. Porter made a motion, seconded by Mr. Hounsell, that the Planning Board determined that based on the provisions of §110-4. A.(5), regarding applicability, that a food trailer for a temporary time of May to November 2023 is not subject to a 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 carried unanimously.

Tarberry Company, LLC (File #NA23-04): Sheila Duane of the Tarberry Company appeared before the Board. This is a request to change the use from retail to a bakery with eight indoor seats at 28 Norcross Circle, North Conway (PID 218-39). Ms. Duane stated Mystic Sugar from Reporter Court will occupy the westerly side of building that used to be Vintage Frameworks.

Mr. Colbath asked for Board comment; Mr. Colbath stated we need to be supportive of small businesses; this is great. Mr. Porter stated this is a great use for that building.

Mr. Colbath asked for public comment; Tom Eastman of the Conway Daily Sun asked what occupies the other side of the building. Ms. Duane answered a mortgage office.

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Mr. Porter made a motion, seconded by Ms. Grant, that the Planning Board determined that based on the provisions of §110-4. A.(5), regarding applicability, that the change of use from retail to a bakery with eight indoor seats is not subject to a 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. Mr. Colbath asked for Board comment; Mr. Hounsell asked if staff had any issue with parking. Mr. Torres stated there is enough on-street parking for this use. **Motion carried unanimously.**

Selectmen's Report: Mr. Porter wished the two incumbents well in the vote.

Issues for Consideration: There were no issues for consideration.

Media Questions: There were no media questions.

Meeting adjourned at 7:46 pm.

Respectfully Submitted,

Holly L. Whitelaw
Planning Assistant