

CONWAY PLANNING BOARD

MINUTES

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A meeting of the Conway Planning Board was held on Thursday, September 25, 2003, beginning at 7:00 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Selectmen's Representative, Dick O'Brien; Vice Chair, Robert Drinkhall; Martha Tobin; David Robinson; Planning Director, Thomas Irving; and Recording Secretary, Holly L. Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Drinkhall made a motion, seconded by Mr. Robinson, to approve the Minutes of September 11, 2003 as written. Motion unanimously carried.

AGNES BIRCH/GREEN GRANITE LIMITED PARTNERSHIP – FULL SITE PLAN REVIEW CONTINUED (PID 246-35) FILE #FR03-06

Mr. Irving stated that the applicant has requested a continuance. **Mr. Drinkhall made a motion, seconded by Ms. Tobin, to continue the Full Site Plan Review for Agnes Birch/Green Granite Limited Partnership until October 9, 2003. Motion unanimously carried.**

EAST CONWAY BAYS REALTY TRUST – FULL SITE PLAN REVIEW (PID 252-52) FILE #FR03-10

Edgar Allen of Thaddeus Thorne Surveys appeared before the Board. This is an application to construct a 1,690 square foot addition to the 6,640 square foot multi-unit building with office space and use 640 square feet as retail space at 109 East Conway Road. **Mr. O'Brien made a motion, seconded by Ms. Tobin, to accept the application of East Conway Bays Realty Trust for a Full Site Plan Review as complete. Motion unanimously carried.** Mr. Irving stated that staff has no issues with the requested waivers.

Ms. Duane read the requirements to grant a waiver. Ms. Duane asked for public comment; there was none. Ms. Duane read the waiver requests for Articles 123-20.E. & 123-22.B.; 123-20.F./131-67.C.8.c. & 123-29.A.(4); 123-20.F./131-67.C.8.a.; 123-20.F./131-67.C.8.g.; 123-20.I.; 123-29.A.2. & A.3.; 123-29.D.8.; and 131, Article X, Table 2. **Mr. Drinkhall made a motion, seconded by Mr. Robinson, to grant the waivers for Articles 123-20.E. & 123-22.B.; 123-20.F./131-67.C.8.c. & 123-29.A.(4); 123-20.F./131-67.C.8.a.; 123-20.F./131-67.C.8.g.; 123-20.I.; 123-29.A.2. & A.3.; 123-29.D.8.; and 131, Article X, Table 2. Motion unanimously carried.**

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Mr. O'Brien made a motion, seconded by Mr. Drinkhall, to conditionally approve the full site plan review for East Conway Bays Realty Trust conditionally upon obtaining Town Engineer drainage approval; obtaining an amended NHDOT Driveway Permit; obtaining an amended State Septic System Approval; amend notes on the plan per staff's request; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval expires on December 11, 2003. Motion unanimously carried.

A. ELIZABETH PRIEBE – FULL SITE PLAN REVIEW (PID 277-133) FILE #FR03-09

Shawn Bergeron of Shawn Bergeron Technical Services appeared before the Board. This is an application to convert a single-family home to a business office and convert the barn to two residential units at 47 West Main Street. **Mr. O'Brien made a motion, seconded by Mr. Robinson, to accept the application of A. Elizabeth Priebe for a full site plan review as complete. Motion unanimously carried.**

Mr. Bergeron stated that there would be no changes to the exterior of the building. There was discussion regarding the driveway and the waiver request. Mr. Bergeron stated that the radii would be curbed to the property line. Ms. Duane asked for public comment; there was none.

Ms. Duane read the waiver requests for Articles 123-20.F./131-67.C.8.a.; 123-20.F./131-67.C.8.f.; 123-20.G.; and 123-22.B. Ms. Duane stated that Paul DegliAngeli, the Town Engineer, does not support the waiver request for drainage [123-20.F./131-67.C.8.a]. Mr. Bergeron withdrew the waiver request for Articles 123-20.F./131-67.C.8.a. **Mr. Drinkhall made a motion, seconded by Mr. O'Brien, to grant the waiver requests for Articles 123-20.F./131-67.C.8.f.; 123-20.G.; and 123-22.B. Motion unanimously carried.**

Mr. Robinson made a motion, seconded by Mr. O'Brien, to conditionally approve the full site plan review for A. Elizabeth Priebe conditionally upon obtaining Town Engineer drainage approval; amending the waivers granted on the plan; 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 expires on December 11, 2003. Motion unanimously carried.

OTHER BUSINESS

Thomas Fadden and Vicki Graves (PID 255-5.1) File #S02- Plan Signing: Mr. O'Brien made a motion, seconded by Ms. Tobin, that the conditions for Thomas Fadden and Vicki Graves 4-Lot Subdivision have been satisfied and to sign the plans. Motion unanimously carried.

Katherine Brassill/Presidential Inn (PID 202-14) – Architectural Review: Katherine Brassill, applicant, and Robert Zimmerman, Attorney, appeared before the Board. Mr.

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Zimmerman stated that there has been an application for a building permit for the Presidential Inn submitted and for reasons involving the building materials has created a design issue. Mr. Zimmerman stated that the design is that of a castle. Mr. Zimmerman stated that they are trying to have the exterior be similar to the interior of the building. Mr. Irving asked if there would be any increase of floor space at each end of the building. Mr. Zimmerman answered in the affirmative. Mr. Irving asked the square footage. Ms. Brassill answered 400 square feet. Ms. Duane asked if it was in both ends. Ms. Brassill answered in the affirmative. Mr. Irving stated that the increase in floor space would require a site plan review.

Mr. O'Brien stated that he sees nothing wrong with it and it will be an improvement. Mr. Robinson stated that he would like to hear from the abutters because this might have an adverse effect on them. Ms. Brassill stated that she has spoken to her neighbors and they are excited about the project.

Ms. Duane read §123-30, Architectural guidelines, of the Site Plan Review Regulations. Mr. Drinkhall asked the height of the towers. Ms. Brassill answered 51.6'. Mr. Zimmerman stated that the towers would not exceed any building standards. Ms. Duane stated that the one regulation that stands out is the section that states "New England" ambience. Ms. Duane stated that the Board sent a gas station canopy elevation back for revisions. Ms. Duane stated that she did receive a phone call on how hard the Board has worked and should protect the New England charm. Ms. Duane stated that she does not think it meets our standards.

Mr. Drinkhall stated there is a section in the regulations that does not want to restrict imagination. Ms. Duane stated to go from New England to Gothic would be compromising our standards. Mr. Zimmerman stated that they are trying to create an atmosphere. Mr. O'Brien stated that our tastes are not the same. Mr. O'Brien stated that he wouldn't call the design non-New England.

Ms. Duane stated that the applicant is asking for a compromise of the standards and the Master Plan wants to maintain the New England charm. Mr. O'Brien stated there is the Castle in the Clouds and asked if that was considered an attraction. Ms. Duane stated that we are not looking to create an attraction.

Ms. Duane stated that she would prefer to see it as an application so the abutters would be notified and the requirements could be waived. Ms. Duane stated that waivers would need to be granted for the applicant to not conform to the architectural standards. Mr. Zimmerman stated that it is made out of stone and there are gothic looking buildings in New England.

Mr. Irving stated that there are three measurable items, windows, exterior material and the pitch of the roof. Ms. Tobin stated that she likes what has been done to the building, but a castle like this is a stretch. Ms. Tobin asked if there was a way to incorporate more of the Tudor building style. Ms. Brassill stated that she is open to ideas and suggestions, but this was the most conservative.

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Ms. Duane asked for public comment; Melody Fortier stated that this is a unique setting and will create revenue in the community. Ms. Fortier stated that it would be a welcome addition. Robert Waldo asked if the strip mall and the water precinct building are a New England look. Mr. Waldo stated the Board should be open-minded and allow some creativity.

Anita Waldo stated that the Eastern Slope Inn is as far away from New England as you can get. Ms. Waldo stated when you think England you think cutesy clapboard with window boxes and that is boring. Ms. Waldo stated people would drive right through Town if that were all we allowed. Ms. Waldo stated that Ms. Brassill has done a tremendous job with what she has to work with.

Nolan Moody stated that they are not trying to create a fantasy, but a masterpiece and a landmark. Mr. Moody stated that they want to meet the regulations in regard to windows and greenspace. Mr. Moody stated that it would be an attractive building.

Mr. Irving stated that the Board must determine if the proposed design is consistent with the architectural design standards. Mr. Drinkhall stated that he is on the fence and would like to review a bit longer. Ms. Tobin stated if there were some softening of the building, it might be more acceptable, but right now she couldn't approve it. Mr. Robinson stated that he doesn't think it meets the guidelines. Ms. Duane stated that she is not in favor of it.

Ms. Duane asked the Board if they would be willing to waive the site plan review regulations with the design as presented. Mr. Robinson and Ms. Duane answered in the negative. Mr. O'Brien answered in the affirmative. Ms. Tobin and Mr. Drinkhall wanted to research this more.

Ms. Duane asked if the Board would like to direct Mr. Irving to sign off on a building permit. Mr. O'Brien answered in the affirmative, and Mr. Drinkhall, Mr. Robinson, Ms. Tobin and Ms. Duane voted in the negative.

Mr. Drinkhall made a motion, seconded by Ms. Tobin, of a finding of fact that the project as proposed would require a site plan review where waivers can be discussed and the Board at this time makes no findings on how they would vote on the waivers. Motion carried with Mr. O'Brien abstaining from voting.

Saco River Management, LLC/Saco River Motor Lodge (PID 258-31) – Conceptual Review: Shawn Bergeron of Bergeron Technical Services and Gordon Young, applicant, appeared before the Board. Mr. Bergeron explained that the applicant has done some extensive landscaping and believes street trees would take away from the landscaping. The Board agreed that street trees would take away from the landscaping, but asked that they look for other areas that trees could be used.

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Mr. Bergeron stated that there are two curb cuts for this property, however, one curb cut is shared with Horizon Christian Fellowship. Mr. Bergeron asked if the Board is willing to allow the two driveways to remain. The Board agreed that since each lot would be allowed a curb cut, it could remain as it is today.

North Conway Country Club (NCCC) (PID 218-32) – Paving Parking Lot: Norman Head, member, and Andrew Manning of H.E. Bergeron Civil Engineers appeared before the Board. Mr. Manning stated that the NCCC has received a letter of approval from the North Conway Community Center allowing the pavement to cross over the property line. Mr. Manning stated that there is a lease agreement with the North Conway Community Center. Mr. Manning stated that the NCCC has received acceptance and support of the North Conway Water Precinct. Mr. Manning stated that the NCCC will be addressing drainage issues and correcting them. Mr. Manning stated that there would be an increasing greenspace. Mr. Manning stated that the applicant would like to ask the Board to consider that a site plan review is not applicable under Article 123-4.A.(5).

Mr. Irving stated that he has discussed this project with the Town Manger and the Town Engineer. Mr. Irving stated that they support the approval of this application with conditions. Mr. Irving stated that the conditions would be to obtain Town Engineer drainage approval; obtain a conditional license from the Board of Selectmen for improvements on land owned by the Town; and a performance guarantee for all site improvements.

Mr. Head stated that the paving is expected to begin on Tuesday, October 14, 2003 and would probably be complete by the time bonding could get into place. Ms. Duane asked the Board if they wanted to require bonding. The Board unanimously agreed that bonding would not be necessary.

Mr. Drinkhall made a motion, seconded by Ms. Tobin, **that pursuant to Article 123-4.A.(5) a site plan approval is not necessary to allow the paving of the parking lot conditionally upon obtaining Town Engineer drainage approval and obtaining a conditional license from the Conway Board of Selectmen to allow improvements on land owned by the Town. Motion unanimously carried.**

Town Meeting schedule: Mr. Irving reviewed the schedule for warrant articles to be placed on the ballot. Mr. Irving discussed the possibility of having a joint meeting with the Board of Selectmen.

Meeting adjourned at 9:05 p.m.

Respectfully Submitted,

Holly L. Meserve
Recording Secretary