

CONWAY PLANNING BOARD

MINUTES

APRIL 13, 2006

A meeting of the Conway Planning Board was held on Thursday, April 13, 2006 beginning at 7:07 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Selectmen's Representative, Larry Martin; Vice Chair, Conrad Briggs; Steven Porter; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

**Mr. Briggs made a motion, seconded by Mr. Martin, to approve the Minutes of March 23, 2006 as written. Motion unanimously carried.**

**PUBLIC HEARING – TREE REMOVAL ON A SCENIC ROAD – RSA 231:158**

David Crane of Public Service Company of NH appeared before the Board. This is a public hearing for the removal of trees along designated scenic roads Baird Hill Road, Crown Hill Road, Davis Hill Road, Greeley Road, Gulf Road, Leavitt Road, Potter Road and West Side Road to facilitate utility services. The public hearing was opened at 7:08 pm.

Mr. Crane reviewed the project and stated that two site walks have been held with the residents of South Conway. Mr. Crane stated that there are 71 trees to be removed and they are all marked. Mr. Crane stated in regard to the new poles, Verizon has agreed to put the wires on arms to put them closer to the road and minimize the amount of cutting. Mr. Irving stated that a representative from Verizon emailed him and recognized that they would have to go before the Planning Board to cut trees and have halted any work for that area until they have come to this Board. Mr. Crane stated that he has given them a list of the scenic roads in the Town of Conway.

Mr. Crane stated that a pole would need to be replaced on Baird Hill Road due to a bear clawing it and it would be an additional five feet in height, but he doesn't think any additional trimming would be required. Mr. Briggs asked if West Side Road is included. Mr. Crane answered in the affirmative and stated that they have decided to not go with the more aggressive trimming as originally thought.

Mr. Irving asked the number of the pole to be replaced on Baird Hill Road. Mr. Crane answered 555/13. Mr. Irving stated he has reviewed West Side Road with the team from Asplundh and explained the Town policy regarding trees in the Town right-of-way. Mr. Irving stated that West Side Road was reduced to three trees and all three in the opinion of the Town Engineer could be deemed as hazardous trees. Mr. Irving stated that the RSA allows the Road Agent to make a determination that they are hazardous, which then wouldn't need a decision from the Planning Board.

**Adopted: April 27, 2006 – As Amended  
CONWAY PLANNING BOARD – APRIL 13, 2006**

Mr. Irving stated that he would recommend that the Board not approve any cutting of trees and that the utility company make inquiries to the Town Engineer in regard to hazardous trees. Mr. Porter agreed. Mr. Martin stated that he would be abstaining from voting, but he thinks the plan set forth to contact the Town Engineer is a good idea. Mr. Drinkhall asked for public comment; Dennis McKinnon asked if this decision is just for West Side Road. Mr. Drinkhall answered in the affirmative.

**Mr. Porter made a motion, seconded by Mr. Briggs, to not authorize any cutting pursuant to RSA 231:158 unless deemed as hazardous trees pursuant to RSA 231:158 and approved by the Town Engineer. Motion carried with Mr. Martin abstaining.**

In regard to the other roads, Mr. Porter stated for the whole project the Board should designate Paul DegliAngeli as the contact person. Mr. Drinkhall agreed. Mr. Drinkhall asked for public comment; Mr. McKinnon stated that the Highway Department would like to cut as many trees as they can and would disagree with Mr. DegliAngeli having that authority. Mr. Irving stated that they could only cut those trees deemed hazardous and cannot just cut whatever they want. Mr. McKinnon stated that there could be a difference of opinion between a hazardous tree and a non-hazardous tree. Mr. Martin stated that Mr. DegliAngeli knows what is expected and is qualified and if there is abuse of that he will have to answer someone.

Mr. Irving stated that RSA has two mechanisms in which to cut trees along a scenic road. Mr. Irving stated that the most permissive is the one before the Board that authorizes more than just hazardous trees and the second is limited to hazardous trees. Mr. Irving stated that staff recommends taking the more restrictive avenue.

Mr. Crane stated the town is very fortunate that they have a lot of concerned residents and he brings up a good point of what is a hazardous tree. Mr. Crane stated that he did not get all the trees that he wanted to cut and the residents didn't save all the trees that they wanted, but there is a balance, which he thinks was achieved. Mr. Crane stated after the initial cutting he would like to do another walk with the residents.

**Mr. Briggs motion, seconded by Mr. Porter, that the same set of rules apply to South Conway as West Side Road.** Mr. Crane stated he would be in contact with the South Conway landowners and fax a list to Ms. Meserve. Mr. Irving stated he would prefer to defer any tree cuttings to the Town Engineer for any trees not included on the list. Mr. Martin asked if this motion is a one-time action. Mr. Irving answered in the affirmative. **Mr. Briggs withdrew his motion and Mr. Porter withdrew his second.**

**Mr. Briggs made a motion, seconded by Mr. Porter, to not authorize any tree cutting rather defer to the Town Engineer pursuant to RSA 231:158 with that provision that no trees be cut that are not already on the list prepared by PSNH.** Mr. Drinkhall asked about the trimming. Mr. Crane stated the trimming is going to be an issue as they just trimmed four years ago and they would not trim beyond the specifications in the letter dated February 23, 2006. Mr. Drinkhall asked for public comment; there was none. **Motion carried with Mr. Martin abstaining.**

**THE MEMORIAL HOSPITAL – FULL SITE PLAN REVIEW (PID 215-61) FILE  
#FR06-03**

Jay Poulin of H.E. Bergeron, Gary Paquette of the Memorial Hospital, and John Weaver, Architect with DiGiorgio Associates, Inc. appeared before the Board. This is an application to construct a 19,500 square foot medical offices and hospital storage addition and modify the driveways onto White Mountain Highway. **Mr. Briggs made a motion, seconded by Mr. Porter, to accept the application of the Memorial Hospital for a full site plan review as complete. Motion unanimously carried.**

Mr. Martin stated he needs clarification of office space. Mr. Poulin stated that it is medical office space. Mr. Martin stated that the driveway change is beneficial and he sees it as a good thing. Mr. Drinkhall asked for public comment; there was none. Mr. Briggs stated that he is concerned with parking as the existing parking is always full. Mr. Briggs asked what is the net gain. Mr. Poulin stated there is a net gain of 18 parking spaces in addition to the new 35 parking spaces.

Mr. Porter stated that the addition makes sense, but what he sees when he visits the hospital is a nightmare as there is not adequate parking. Mr. Paquette stated from an operational standpoint we have to get our employees to park in the back. Mr. Paquette stated there are 55 new parking spaces proposed. Mr. Martin stated from a site plan point of view they meet the regulation.

Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver requests for §123-6.B.2; 123-20.C.; 123-20.F. & 131-67.C.8.b.; 123-20.F., 131-67.C.8.c. & 123-29.A.4.; 123-29.D.1.; 123-30.A.2; and 123. **Mr. Porter made a motion, seconded by Mr. Briggs, to grant the waiver requests for §123-6.B.2; 123-20.C.; 123-20.F. & 131-67.C.8.b.; 123-20.F., 131-67.C.8.c. & 123-29.A.4.; 123-29.D.1.; 123-30.A.2; and 123. Motion unanimously carried.** Mr. Drinkhall asked for public comment; there was none.

**Mr. Martin made a motion, seconded by Mr. Porter, to conditionally approve the Full Site Plan for the Memorial Hospital conditionally upon NHDOT Driveway Permit; NH Site Specific Approval; North Conway Water Precinct Approval; Town Engineer Approval; a Mylar; 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 will expire on July 13, 2006. Motion unanimously carried.**

**The Memorial Hospital (PID 215-61) File #FR05-21 – Extension of Conditional Approval: Mr. Porter made a motion, seconded by Mr. Martin, to extend the conditional approval for the Memorial Hospital (File #FR05-21) to July 13, 2006. Motion unanimously carried.**

**Adopted: April 27, 2006 – As Amended  
CONWAY PLANNING BOARD – APRIL 13, 2006**

**JEANNE WHITNEY/PHILIP MCDONNELL/ANTHONY FRANCHI/PATRICIA  
FRANCHI/MEADOW GREEN REALTY TRUST II – 28-UNIT SUBDIVISION  
CONTINUED (PID 219-303) FILE #S05-11**

Jay Poulin of H.E. Bergeron Engineers appeared before the Board. This is an application for a 28-unit subdivision [modified March 9, 2006]. This application was accepted as substantially complete on April 28, 2005.

**Mr. Martin made a motion, seconded by Mr. Porter, to continue the 28-unit subdivision for Jeanne Whitney, Philip McDonnell, Anthony Franchi, Patricia Franchi, and Meadow Green Realty Trust II until May 11, 2006. Motion carried with Mr. Briggs not voting.**

**OTHER BUSINESS**

**Conway Area Humane Society (PID 265-11) - §123-4.A.5.:** Roz Manwaring appeared before the Board. Ms. Manwaring stated that they would like to convert the residential dwelling to a thrift store and office space accessory to the shelter operation. **Mr. Briggs made a motion, seconded by Mr. Martin, that the conversion of the residential dwelling to a thrift shop and office space accessory to the shelter operation 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. Motion unanimously carried.**

Meeting adjourned at 8:04 pm.

Respectfully Submitted,

Holly L. Meserve  
Recording Secretary