

CONWAY PLANNING BOARD

MINUTES

NOVEMBER 16, 2006

A meeting of the Conway Planning Board was held on Thursday, November 16, 2006 beginning at 7:00 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Selectmen's Representative, Larry Martin; Vice Chair, Russell Henderson; Hud Kellogg; Sean McFeeley; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Martin made a motion, seconded by Mr. Henderson, to approve the Minutes of October 26, 2006 as written. Motion unanimously carried.

SETTLERS R2, INC. – CONCURRENT FULL SITE PLAN AND SUBDIVISION REVIEW CONTINUED (PID 235-89) FILE #FR06-09 & S06-24

This is an application to construct a 2,502 square foot addition to Building G and adjust the unit boundary line accordingly. This application was accepted as complete on October 12, 2006. Mr. Irving stated that the applicant has requested a continuance. **Mr. Henderson made a motion, seconded by Mr. Martin, to continue the Concurrent Site Plan and Subdivision Review for Settlers' R2, Inc. until December 14, 2006. Motion unanimously carried.**

MRM/SHAW'S REALTY COMPANY – REVIEW OF CONDITIONAL APPROVAL (PID 246-19 & 20) File #FR06-06

Roger Williams of OVP Management appeared before the Board to review the proposed architectural elevations for Building A. Mr. Irving stated that if the Board is satisfied with the architectural elevations as presented, the applicant would like the Board to amend the conditional approval to allow the plans to be signed out-of-session once the other conditions are met.

The Board reviewed the proposed architectural elevations. Mr. Henderson asked what is painted vertical siding. Mr. Williams stated that it is like T-111, but a cement board. Mr. Henderson was okay with the painted vertical siding. **Mr. Martin made a motion, seconded by Mr. Henderson, to approve the architectural elevations for Building A as submitted. Motion unanimously carried.**

Mr. McFeeley made a motion, seconded by Mr. Martin, to amend the conditional approval for File FR06-06 to allow the plans to be signed out-of-session when the other conditions have been met. Motion unanimously carried.

SHAW'S REALTY CO. – UNIT SUBDIVISION REVIEW (PID 246-20) FILE #S06-26

Mark Lucy of White Mountain Survey Company and Roger Williams of OVP Management appeared before the Board. This is an application to create two units on 8.46 acres. **Mr. Henderson made a motion, seconded by Mr. Kellogg, to accept the application of Shaw's Realty Co. for a subdivision review as complete. Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; Mr. Martin asked why is this necessary. Mr. Williams stated that it is for financing. Mr. Drinkhall asked for public comment; there was none. **Mr. Henderson made a motion, seconded by Mr. Martin, to conditionally approve the Unit Subdivision for Shaw's Realty Co. conditionally upon final approval of File #FR06-06; North Conway Fire Chief Approval; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on April 26, 2007. Motion unanimously carried.**

ALICE HEATH – 2-LOT SUBDIVISION (PID 257-4) FILE #S06-27

Diane Smith and Wes Smith of Thaddeus Thorne Surveys appeared before the Board. This is an application to subdivide 11.5 acres into two lots with one lot having 1.19 acres and the second lot having 10.31 acres. Ms. Smith stated that the unusual shape is due to the well radius. **Mr. McFeeley made a motion, seconded by Mr. Henderson, to accept the application of Alice Heath for a subdivision review as complete. Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Mr. Martin made a motion, seconded by Mr. Henderson, to approve the 2-lot subdivision for Alice Heath with the subsequent condition that a copy of the State Subdivision Approval be submitted prior to the plans being recorded at the Carroll County Registry of Deeds. Motion unanimously carried.**

WILLIAM GLOVER – 2-LOT SUBDIVISION (PID 288-31.2) FILE #S06-29

Diane Smith and Wes Smith of Thaddeus Thorne Surveys appeared before the Board. This is an application to subdivide 25.87 acres into two lots of 23.64 acres and 1.67 acres. Mr. Irving stated due to modifications to the plan after being noticed, he would recommend the Board accept the application as sufficiently complete. **Mr. Henderson made a motion, seconded by Mr. McFeeley, to accept the application of William Glover for a Subdivision Review as sufficiently complete. Motion unanimously carried.**

Ms. Smith stated that a road right-of-way has been added to the plan after it was noticed, therefore, the applicant would request a continuance to re-notice the application. **Mr. Henderson made a motion, seconded by Mr. Kellogg, to continue the 2-Lot Subdivision Review for William Glover until December 14, 2006. Motion unanimously carried.**

STEPHEN MORRILL et al – BOUNDARY LINE ADJUSTMENT (PID 260-58 & 274-14) FILE #S06-23

This is an application to add 11.11 acres to PID 274-14 from PID 260-58 resulting in a 12.29-acre lot and a 590.91-acre lot, respectfully. This application was accepted as complete on October 12, 2006. Mr. Irving stated that the applicant has requested a continuance. **Mr. Henderson made a motion, seconded by Mr. Martin, to continue the Boundary Line Adjustment application for Stephen Morrill et al until December 14, 2006. Motion unanimously carried.**

BARRY AND ELLANORE HILL/US CELLULAR – FULL SITE PLAN REVIEW (PID 291-9) FILE #FR06-10

Kenneth Kozyra of KJK Wireless and Steve Grill, Attorney for US Cellular, appeared before the Board. This is an application to construct a 180-foot wireless communication facility within a 75' x 75' compound with associated equipment shelter and generator with a base elevation of 911-feet on Libby Mountain Road. This application was accepted as complete on October 26, 2006.

Mr. Kozyra stated that the fill area has been taken out of the setback and the driveway was slightly moved on the site to go around the well. Mr. Irving asked if they had received any communication from the local fire chief. Mr. Kozyra answered in the negative.

Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver requests for §123-6.B.4 and §123-20.F./131-67.C.8.a., b., c., e., f. & g. **Mr. Martin made a motion, seconded by Mr. Henderson, to grant the waiver requests for §123-6.B.4 and §123-20.F./131-67.C.8.a., b., c., e., f. & g.** Mr. Drinkhall asked for Board comment; Mr. Martin asked if the driveway waiver is granted and since this is not a residential property anymore does it preclude them from the driveway apron. Mr. Kozyra stated that there is an old apron onto Eaton Road, but NHDOT has asked for modifications to that apron and it is in the NHDOT Driveway permit. Mr. Martin asked if there would be an increase in traffic. Mr. Irving stated during construction there would be a significant amount of traffic, but after that there will not be much. Mr. Kozyra stated once or twice a month. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; John Edgerton asked the location of the site. Mr. Kozyra reviewed the site plan with Mr. Edgerton.

Mr. Martin made a motion, seconded by Mr. Henderson, to conditionally approve the Full Site Plan for Barry and Ellanore Hill/US Cellular conditionally upon Conway Village Fire Chief Approval; submission of Mylar's; 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 December 13, 2007. Motion unanimously carried.

OTHER BUSINESS

Edward and Sherri Prevost – Lot Merger (PID 284-8 & 9): Mr. Martin made a motion, seconded by Mr. Henderson to approve the lot merger for Edward and Sherri Prevost. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Peaked Mountain, LLC (PID 219-303) File #S05-11 – Amendment of Conditional Approval: Mr. Irving stated that the applicant would like to modify the existing on-site surety requirement to provide surety for erosion control, all landscaping and for the rehabilitation of the site should the developer fail to complete the on-site infrastructure as approved under the conditional approval [File #S05-11].

Mr. Henderson made a motion, seconded by Mr. Martin, to amend the conditional approval for Peaked Mountain, LLC [File #S06-14] to allow the developer to construct the on-site improvements without providing a surety bond for same or, at the developer's option, to provide surety for any uncompleted on-site improvements prior to final approval, and prior to commencement of any construction or receiving final approval the developer shall provide surety for erosion control, all landscaping and for the rehabilitation of the site should the developer fail to complete the on-site infrastructure as approved under the conditional approval, and no lot shall be sold prior to final approval of the subdivision plan. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Diodati Realty Trust/Michael Diodati (PID 218-69) – Extension of Conditional approval (File #FR06-07 & #S06-18): Mr. Henderson made a motion, seconded by Mr. McFeeley, to extend the conditional approval for Diodati Realty Trust/Michael Diodati until June 14, 2007. **Motion unanimously carried.**

Mountain View Estates (PID 202-167) – Request for Concurrent Site Plan and Subdivision Review: Mr. Henderson made a motion, seconded by Mr. Kellogg, to allow a Concurrent Site Plan and Subdivision Review for PID 202-167). **Motion unanimously carried.**

Capital Improvements Plan: Mr. Henderson asked if there were any updates on the CIP progress. Mr. Irving stated that the Town Manager has sent out another request for information. Mr. Drinkhall asked if there has been any feedback. Mr. Irving stated that the Conway Public Library has submitted information and the Conway Public Works Director is working on his submittal. Mr. Irving stated that he did receive a phone call from a representative of the Birch Hill Water Precinct and they have no proposed improvements at this time. Mr. Irving stated that a letter was received from the Center Conway Fire Chief in regard to hydrants and fire protection facilities in the vicinity of Town Hall.

Meeting adjourned at 7:45 pm.

Respectfully Submitted,

Holly L. Meserve, Planning Assistant