

CONWAY PLANNING BOARD

MINUTES

MARCH 13, 2008

A meeting of the Conway Planning Board was held on Thursday, March 13, 2008 beginning at 7:03 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Robert Drinkhall; Secretary, Steven Porter; Sean McFeeley; Theodore Sares; Patricia Sell; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

**Mr. Sares made a motion, seconded by Mr. McFeeley, to approve the Minutes of February 28, 2008 as written. Motion unanimously carried.**

**STATE OF NEW HAMPSHIRE/121 FIT, INC/MICHELLE ROBER – FULL SITE PLAN REVIEW (PID 215-60) FILE #FR08-01**

Jon Howe of Ammonoosuc Survey Company and Michelle Rober appeared before the Board. This is an application to convert the existing home to a rehabilitation center and offices and to construct an 8,830 square foot fitness center. **Mr. Porter made a motion, seconded by Mr. McFeeley, to accept the application for the State of New Hampshire/121 Fit, Inc/Michelle Rober for a Full Site Plan Review as complete. Motion unanimously carried.**

Mr. Irving stated that the Fire Chief has requested the driveways be increased from 20-feet to 24-feet. Mr. Irving stated that the applicant has shown overhead utilities, but they are looking to request a variance from the Zoning Board of Adjustment. Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall read the requirements to grant a waiver. Mr. Drinkhall read the waiver request for §123-21.A. **Mr. Porter made a motion, seconded by Mr. Sares, to grant the waiver request for §123-21.A.**

Mr. Drinkhall asked for Board comment; Mr. Sares stated by reducing the parking lot by 9 fewer spaces would mean it would move into the hospital. Ms. Rober stated currently the staff in physical therapy at the hospital would be moving over to the new facility, therefore, they are already parking at the hospital. Mr. Drinkhall stated that the parking spaces would be utilized by the same people that are using them now.

Mr. Howe stated if the applicant were to add 9 more parking spaces they would have to cut into the buffer area. Mr. Sares asked what type of impact the reduction would have on the hospital. Ms. Rober stated with any business you want to save the ease of parking with the clients, the staff would be parking in the lower hospital parking lot. Mr. Sares stated that the net would be zero impact as people parking at the hospital are already parking at the hospital. Mr. Howe stated that the hospital would not be affected at all.

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Mr. Drinkhall asked if everyone employed by Ms. Rober works at the hospital. Ms. Rober answered in the negative and stated that it is a lease arrangement with the hospital. Mr. Sares asked what if they backfill the staff with nine new staff members. Ms. Rober stated that the current physical therapy would remain at the hospital for in-patient care and they would be sharing staff with the existing physical therapy room at the hospital and the physical therapy room at 121 Fit. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

Mr. Drinkhall read the waiver request for §123-29.A.1/147.13.19.9.1.1. **Mr. Sares made a motion, seconded by Mr. Porter, to grant the waiver for 123-29.A.1/147.13.19.9.1.1.** Mr. Drinkhall asked for Board comment; there was none. Mr. Drinkhall asked for public comment; there was none. **Motion unanimously carried.**

**Mr. Porter made a motion, seconded by Mr. Sares, to continue the Full Site Plan Review for State of New Hampshire/121 Fit, Inc/Michelle Rober until April 24, 2008 with new information to be submitted by end of business Friday, April 11, 2008. Motion unanimously carried.**

**JOSEPH E. SULLIVAN III – BOUNDARY LINE ADJUSTMENT AND 2-LOT SUBDIVISION (PID 230-45 & 46) FILE #S08-02**

Diane Smith of Thaddeus Thorne Surveys and Ned Sullivan appeared before the Board. This is an application to convey 1.28 acres to PID 230-45 from PID 230-46 and then subdivide PID 230-45 into two lots. **Mr. Porter made a motion, seconded by Mr. McFeeley, to accept the application of Joseph E. Sullivan III for a Boundary Line Adjustment and 2-Lot Subdivision Review as complete. Motion unanimously carried.**

Mr. Drinkhall read the waiver request for §131-67.C.8.c & d. **Mr. Sares made a motion, seconded by Mr. McFeeley, to grant the waiver request for §131-67.C.8.c & d.** Mr. Drinkhall asked for Board comment; there was none. There was no public in attendance. **Motion unanimously carried.**

**Mr. McFeeley made a motion, seconded by Mr. Porter, to conditionally approve the Boundary Line Adjustment and 2-Lot Subdivision conditionally upon North Conway Fire Chief Approval; a performance guarantee for monuments or setting the monuments; surety for all improvements required by the Town Engineer; a Mylar; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on June 12, 2008. Motion unanimously carried.**

**OTHER BUSINESS**

**Richard and Patricia Eames – Lot Merger (PID 276-120 & 121): Mr. Porter made a motion, seconded by Mr. McFeeley, to sign the lot merger for Richard and Patricia Eames combining lots PID 276-120 & 121. Motion unanimously carried.**

**Committee Reports:** There was none.

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**Master Plan:** Mr. Sares stated that we need to parcel off pieces of it and then come back together. Mr. Sares stated that there is not a lot and what he is thinking is an update. Mr. Sares stated that it should be reviewed, but not redo the whole thing. Mr. Sares stated that the Board should do what they are able to do and what they are able to review. Mr. Sares stated that it has been about five years so the timing is perfect.

Mr. Sares stated that it should be reviewed to see if the balance is still there and it is still in sync. Mr. Sares stated that the economy is bringing this into balance and there is not a lot to do here. Mr. Irving stated that the Implementation Chapter should be reviewed. Mr. Sares asked if it can be portioned out. Mr. Irving stated that he would put information in the next Planning Board packets.

**Conway Village:** Mr. Porter stated that Conway Village is revamping the water and sewer system and asked if they are required to submit anything to the Planning Board for approval or disapproval. Mr. Drinkhall stated that they have to, but what this Board does is not binding. Mr. Irving referred to RSA 674:54 and stated that the Board does not address extension of utility lines, but the Board would address any expansions or development of facilities.

**Nuisance:** Mr. Sares asked how a private land owner addresses a nuisance. Mr. Irving asked if it is an existing business with permits in place. Mr. Sares answered in the affirmative. Mr. Irving stated that he would like a chance to review Mr. Sares question.

Ms. Sell stated there is an exhaust fan at the Middle School that is within 70-feet of her home that sounds like a truck idling in her home. Ms. Sell stated that she needs help to determine what sort of direction she should take. Ms. Sell stated that the School District refuses to bring anything before this Board and there are numerous things that should have been brought before this board. Ms. Sell stated that they are in violation of the RSA and no one is regulating them. Ms. Sell stated that they are storing snow in the floodplain and on sensitive wetlands. Ms. Sell asked who has the right to say enough is enough.

Mr. Irving stated that it is a civil matter and he is not sure there is anything this Board can do. Mr. Drinkhall stated that we don't have the authority if in fact they didn't want to do anything.

Meeting adjourned at 7:50 pm.

Respectfully Submitted,

Holly L. Meserve  
Planning Assistant