

CONWAY PLANNING BOARD

MINUTES

FEBRUARY 12, 2009

PAGES

- | | |
|----|---|
| 1 | Appointment of Alternate Member |
| 1 | Review and Acceptance of Minutes <ul style="list-style-type: none">• January 22, 2009 – Adopted as Amended |
| 1 | Zoning Petitions – Public Hearings <ul style="list-style-type: none">• Conway Village Commercial District• Center Conway Village Commercial District• Special Highway Corridor Overlay District |
| 8 | The Kennett Company and Peter and Patricia Sell – Boundary Line Adjustment (PID 264-50, 51, 52 & 54) File #S09-02 <ul style="list-style-type: none">• Conditionally Approved |
| 9 | Mount Washington Valley Economic Council – 17-Lot Subdivision and Boundary Line Adjustment Review continued (PID 262-86.2 & 265-152) File #S08-04 <ul style="list-style-type: none">• Continued until March 26, 2009 |
| 10 | Fram Donuts, Inc/Dunkin Donuts – Full Site Plan Review continued (PID 277-287) File #FR08-06 <ul style="list-style-type: none">• Continued until March 12, 2009 |
| 10 | River Run Company, Inc/The Station House – Full Site Plan Review Continued (PID 218-56) File #FR085-07 <ul style="list-style-type: none">• Withdrawn by Applicant |
| 10 | OTHER BUSINESS <ul style="list-style-type: none">• Bellevue Properties (PID 235-98K) – §123-4.A.5 (File #NA09-03)• MSK Property Management LLC (PID 276-74) – §123-4.A.5 (File #NA09-04)• Pittsfield Aqueduct Company Inc (PID 231-109) – §123-4.A.5 (File #NA09-05)• Town of Conway (PID 277-17, 18 & 19) – Lot Merger• Town of Conway (PID 277-46 & 47) – Lot Merger• Town of Conway (PID 277-53, 54 & 55) – Lot Merger• Committee Reports |

CONWAY PLANNING BOARD

MINUTES

FEBRUARY 12, 2009

A meeting of the Conway Planning Board was held on Thursday, February 12, 2009 beginning at 7:02 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Robert Drinkhall; Vice Chair, Martha Tobin; Secretary, Patricia Sell; Theodore Sares;; Alternate, Steven Hartmann; Planning Director, Thomas Irving; and Executive Secretary, Karen Hallowell.

APPOINTMENT OF ALTERNATE MEMBER

The Chair appointed Alternate, Steven Hartmann, as a full Board member for this meeting.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Sares made a motion, seconded by Mr. Drinkhall, to approve the Minutes of January 22, 2009 as written. Motion carried unanimously.

ZONING PETITIONS – PUBLIC HEARING

Conway Village Commercial District: This is an amendment to expand the Conway Village Commercial District by rezoning the following parcels of land on the 2008 Tax Map 276 Parcels 54, 55, 56, 57, 60, 61, 62, 271, 272 and 273 from Conway Village Residential to Conway Village Commercial (§147.13.6.1).

Dr. Robert Rose appeared before the Board. Dr. Rose advised he is the Administrator of the Saco River Medical Group (SRMG) in Conway and they have initiated this petition and it is in reference to additional parking. Dr. Rose set up a diagram for public viewing of the proposed rezoning in Conway Village. Dr. Rose also distributed information to the Board (see attached).

Dr. Rose next explained that patient activity at SRMG has doubled and they need to do something about the parking. Dr. Rose explained they are proposing zoning to accommodate a parking lot. Dr. Rose advised they do recognize the residential nature of the neighborhood and would keep the neighbors in mind that abut up against a parking lot. Dr. Rose displayed photos of what the parking lot would look like with a hedge of trees in the pictures and presented same to the Board for their review. Dr. Rose stated he feels the trees would mitigate noise and sight at the site. Dr. Rose further stated that he feels lighting concerns could be mitigated as well.

Ms. Sell questioned if we have to change this to a commercial district just to put the parking lot in. Mr. Irving explained they could have a parking lot for residential use but not for non residential.

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

Ms. Sell questioned Dr. Rose if the rationale for this is that SRMG hired new staff and increased patients and so the current parking can't accommodate both. Dr. Rose advised they don't let staff park in their current lot. Staff parks over at Echo. They have watched their natural growth over the last couple of years and now have no place to grow in the structure and have this parking dilemma.

Mr. Drinkhall stated his concern is should they outgrow their current building and move out then almost anything could be moved in there commercially and that could be more of a disturbance than just the parking lot at this time.

Mr. Sares stated the problem is that Greenwood Avenue is also used for parking by the Library. SRMG employees and Library patrons are using the parking. There is not enough parking for either and/or both. Mr. Sares also stated this area is residential and is not intended to be commercial.

The public hearing was opened at 7:13 pm. Mr. Porter asked for public comment; Lucy Philbrick advised she lives at 32 Wilder Street, which is right next to the proposed change. Ms. Philbrick commented this is a wonderful neighborhood and would urge the Board not to change it from its current state. Ms. Philbrick stated it would be horrendous to think there is a parking lot in everyone's back yard.

Elaine Davis stated she owns two lots and totally agrees with Lucy Philbrick. This is a lovely residential section and everyone cooperates and gets along together and this would ruin it.

Robert Philbrick advised he has lived in the neighborhood 43 years. This proposed lot is surrounded by residences and is not a proper spot for a parking lot.

Rob Marden advised the property behind him has a common drainage ditch that runs to Eaton and snow has to go somewhere. What will happen to this and will this flood the neighborhood. Mr. Marden also asked about the noise factor and what this will do. Mr. Marden asked the Board to please consider this.

Joseph Benton advised he is not from Conway but his mother in law lives in the neighborhood. Mr. Benton stated there are a couple of things to look at for the best interest of the town. Mr. Benton spoke about the expansion of the medical center and if they outgrow it in this residential area. Further, this is a friendly neighborhood for people to live in and the village and should not be commercial. Also, if houses remain and there is a commercial parking lot there, will there be someone to monitor this to make sure things don't happen overnight. Mr. Benton stated he feels this is a slippery slope if the Town lets this residential area become a commercial area.

Jane Davis advised she is Eileen Davis' daughter. Ms. Jane Davis advised that her mother spoke with Dr. Rose a few days ago and he stated he would fight it tooth and nail if it were in his neighborhood, Further, she is also worried about people driving too fast on this road and that it would also bring more traffic to the road. Also, people will have to cross from the parking lot to the medical center and she is worried about traffic and safety to pedestrians.

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

Doug Heller stated he just purchased home in the area a year ago and agrees with the comments made earlier. Everyone gets along in the neighborhood and it is a nice residential area.

Dr. Saddiqui advised he is a family doctor at SRMG. He understands the Davis' concerns and the public concerns. He is new to the area but sees traffic pattern in this area and seeing a lot of elderly folks in the area walking to the library and the clinic and this is one of reasons for the SRMG to have the parking lot to make it easier for patients. There are also moms in snowstorms bringing kids and parking far and walking to clinic and this would make it easier.

Mr. Porter asked Dr. Rose for closing comments. Dr. Rose stated he believes what he had said to Mrs. Davis was that she has the right to fight it tooth and nail. With regard to safety concerns this is far less patient travel and patient road crossing and he feels safety would be improved. They were looking at the community needs at large for the medical facilities.

Ms. Sell questioned if this is approved by voters and zoned commercial and SRMG were to move out in future, we would have no control over the area and something else could be built there – could something other than a parking lot be put in? Mr. Irving replied in the affirmative and advised that any of the permitted uses in the village commercial district would then be permitted on these subject properties.

Mr. Sares referred to the Master Plan and pointed out that this is a residential area and to change same would pervert the spirit of the plan. It is intended to be residential. Mr. Sares stated the only area available, but it would never happen, is the beautiful area that is the library park. Mr. Sares next stated there is no solution to the parking issue here.

Mr. Hartmann asked about just doing one lot. Mr. Irving stated there may be an issue of spot zoning but this can be done. However, they can't do it with this petition at this time as it goes on the warrant as written.

Rodney Miller stated he is Eileen Davis' son in law. Mr. Miller stated what has happened here is that SRMG is an incredibly successful operation in a building that is too small for the community. This proposal is only a band aid to the problem and he questioned what will occur 2 years down the road. There are many avenues for this business to pursue and he agrees there are no solutions to the parking issue in that area. Mr. Porter closed the public hearing at 7:32 pm.

Ms. Tobin made a motion, seconded by Ms. Sell, to recommend the proposed amendment to §147.13.6.1 as written on the warrant. The motion failed (0-6-0).

Center Conway Village Commercial District: This is an amendment to reduce the number of dwelling units per acre from 12 to 8 and to allow the property to be serviced by an approved NHDES sewerage and waste disposal system (§147.13.5.2.5.3).

Karen Milford of the Echo Group appeared before the Board. Ms. Milford reviewed that two doors down from town hall is the former Echo headquarters. The Echo Group still owns the building and it has been for sale for several years.

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

Ms. Milford stated that the petition presented gives them more opportunity for this property and other properties in Center Conway for multi-family housing. The current zoning permits up to 12 units per acre only if they have access to municipal water and sewer which is not in the plans for Center Conway any time in the near future. The proposed amendment asks for a reduction in the number of units per acre from 12 to 8, but in exchange for that the property would have to be approved for septic by the State.

Ms. Milford distributed a map of the district which lists the proposed properties that would be affected by the proposed change of zoning and briefly reviewed same. Ms. Milford next advised the Echo Group feels this will improve the selling opportunities for this property and, also, feels overall this would be good for the community by permitting more multifamily housing in an area with resources such as the community center, a store, town hall, school, etc.

Mr. Sares questioned if they want to enhance the ability to sell the property next to town hall and the other reasons given are incidental. Ms. Milford stated the motivation is to sell the Echo property.

The public hearing was opened at 7:40 pm. Mr. Porter asked for public comment; Bayard Kennett advised he has had the Echo building for sale or lease for a long time. Mr. Kennett next advised this article has been before the town once before and at that time it was for 12 units per acre with on-site septic and well. The primary objection at that time was that it would create a great amount of density on small lots. This petition reduces that number to 8 units and only if there is adequate well and septic.

Mr. Kennett stated that the motivation is that the inquiries he has received over time are people asking if they could convert this to apartments and the answer was no they could only make it into 2 units as it is now. Mr. Kennett added that in addition to that this would also alleviate the shortage of rental units available in the valley. The village area is particularly conducive because of the services that are available.

Ms. Sell questioned Mr. Kennett if he feels this would apply to increasing workforce housing. Mr. Kennett replied in the affirmative. Mr. Kennett further added Echo is not converting the building but they may have a buyer that could convert it to apartments. This change would be conducive to changing this property and other properties to apartments in the area for working families.

Doug Burnell stated he sort of agrees with the principal of this in that it is in the villages where we should be encouraging the increasing of density. As long as you have a good water and sewer supply, you don't necessarily need to be on a municipal system. This makes sense other than developing everywhere else in town and agrees with this in principle.

There were no further public comments and Mr. Porter closed the public comment period at 7:44 p.m.

Ms. Sell made a motion, seconded by Mr. Sares, to recommend the proposed amendment to §147.13.5.2.5.3 as written on the warrant. The motion carried unanimously (6-0-0).

ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009

Special Highway Corridor Overlay District: This is an amendment to exclude from the Special Highway Corridor Overlay District the land within those phases of the Conway Bypass that the State of New Hampshire has removed from the ten-year highway plan (§147.13.19.2).

Bayard Kennett appeared before the Board and advised that he put forward this petition. Mr. Kennett displayed a map of the Special Highway Corridor Overlay District (SHCOD). Mr. Kennett read aloud a prepared statement of his understanding of the history of the SHCOD. Mr. Kennett also reviewed the map with the Board reviewing the area of the SHCOD. In summary, Mr. Kennett stated the SHCOD caused a decrease in the valuation of the land and the Kennett Company and others were impacted by the amendments.

Mr. Kennett next stated the first five stages of the Bypass have significantly alleviated traffic woes in North Conway. Phase Six, the southern section, is in the state's 10 year plan for 2015 or maybe sooner due to the stimulus money, and so what is considered Conway Village will be bypassed in the years ahead. Mr. Kennett discussed the federal and state funding that is planned will be directed to fund highway maintenance and other money will be for new construction in high population areas. Mr. Kennett stated he does not believe the northern section of the Bypass will ever be built. Mr. Kennett advised he is here tonight to ask that the SHCOD, which is bypass phases 7 and 8, be removed from the Conway Zoning Ordinance since he feels no road will ever be built there.

Ms. Sell asked Mr. Kennett to clarify what part will be excluded from the proposal. Mr. Kennett reviewed the area on the map for the Board and public that will be excluded. Mr. Kennett further explained there are a lot of natural features that are a hindrance to development around the bypass. The area they are primarily talking about for this proposed amendment is the commercial area of Rt. 302 running up to Settlers Green. Mr. Kennett further stated he knows there are concerns of the impact to lifting the SHCOD to the scenic nature North-South Road but to his knowledge, and he knows who owns the parcels, there would be none. The area around Pudding Pond and the view shed to Cranmore is owned either by the State or by Conway. Mr. Kennett further added he feels this area is negatively impacted now because you can't build any footprint larger than 5,000 sq ft.

Mr. Kennett stated another question that came up is can you guarantee that nothing will be built in that area. Mr. Kennett stated he cannot guarantee this but in speaking with NHDOT Commissioner Campbell and Don Lyford they stated they have nothing on the books right now. Bob Drinkhall stated there is no confirmation as of today that this project has been abandoned by the NHDOT. Mr. Drinkhall stated it is just not the time to eliminate the overlay district. There was further brief discussion regarding the possibility of whether or not the bypass may or may not be built.

The public hearing was opened at 8:00 pm. Mr. Porter asked for public comment; William Altenberg advised that he is a land use planner in Conway. Mr. Altenberg advised he began working on the bypass area and associated land use issues in 1980. He has studied land use, the impact of the bypass, etc for Bayard Kennett and others. Mr. Altenberg opined the SHCOD blocked development in all the high traffic locations and was put in place because citizens wanted to seek control and stop development in that area. Mr. Altenberg next stated his opinion

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

is the Bypass is not going to happen as traffic has declined since 1991. He has advised the Kennett Company not to worry as it is never going to happen. The northern section will never happen. Consequently, the holding action of the SHCOD has kept people from using the land while the bypass was in process. If the SHCOD disappears, all of the major landowners from the Hospital to Cranmore to Settlers Green and the Kennett Company lands are suddenly put back on the marketplace and this is a challenge to the town. If the proposed amendment goes through, there will be rapid development from Eagles Way thru to Pudding Pond, in the Roundabout area, and also the Cranmore and Artist Falls areas.

Mr. Altenberg stated that all of these landowners have had their land values reduced due to the SHCOD and the land values will jump as soon as this changes. The land will all suddenly go back onto the market and this will be a challenge to the town. Mr. Altenberg stated he doesn't think this is a good thing for the town but it represents an opportunity. The opportunity for the town is they haven't looked at this whole east side as a land use corridor and how the use of the corridor could be beneficial to the town. We have a zoning situation (the SHCOD) that has created a green belt and in that green belt is the North-South Road, the railroad and the state ownership of the bypass area.

Mr. Altenberg stated he would not recommend this proposed change. He would recommend putting together a planning committee comprised of the Board of Selectmen, the state, and citizens to develop an overall land use plan for this corridor and, second he would amend the existing SHCOD to allow for contract zones so that individual land owners could come forward and show how their plans would fit with the overall district. Mr. Altenberg stated he feels this could tie two ends together. This would agree with what Bayard is saying and bring this land back into the community as they feel the Bypass will never be put in this area. He does however, strongly recommend you turn this proposition down and look at the whole corridor district to benefit the landowners.

Bob deFeyter advised he was on the Planning Board when they developed and brought forward the SHCOD to the voters. Mr. deFeyter stated the Town spent great deal of energy, effort and money, hired a consultant to develop this, and there were public hearings on the matter and the voters saw fit to approve same. Mr. deFeyter stated it had been suggested tonight that the SHCOD should be discontinued because the northern portions of the bypass may not be built. This is not so because the state has bought and still owns land in this area.

Mr. deFeyter advised that today he identified 10 parcels on GIS maps at the town office that the state has already bought from Wal-Mart up to the hospital. There are also large parcels in this area owned by the Town, i.e. Whitaker Woods and the Pudding Pond area. They have not sold or relinquished any except for a small piece transferred on the North-South Road between the town and the state. The possibility of building there still remains. The issue of the ten year plan from the state just got thrown out the window.

Mr. deFeyter next displayed and referred to a copy of the *Wall Street Journal* with the headline "Congress Strikes \$789 Billion Stimulus Deal" and "Historic Bill Would Spur Road Building" and stated the largest amounts of money in this bill is going to go to road building and every state office is now looking at road building. They are going to try to build everything they can

ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009

without priority. Mr. deFeyter stated he feels there are no more 10- year plans anymore and the states will build what they can. Mr. deFeyter stated he feels they may not build the northern section right now but they will probably build the southern section which will bring more traffic to the area and then maybe other sections of the bypass will come. If you don't maintain the SHCOD you won't be able to bring it back. You need to retain it and protect the SHCOD.

Mr. Sares posed the question, now with the stimulus plan the possibility of this is now more possible, but does that make is necessary? Mr. deFeyter stated that he feels we need to look at the reality that there will be more road building. There was a brief debate on the need for the bypass phases and how the stimulus money may or may not be used for projects.

Mr. deFeyter next stated the Planning Board should look ahead and ask themselves what will be happening in the valley. Mr. deFeyter added the valley is a wonderful place to live and if you look down the road there will be more people here, more commerce here, and as a result we will need to improve infrastructure as a part of this growth. This may not be perfect but you need to understand how difficult it is to put roads in and other infrastructure projects. This SHCOD has already been engineered and approved. The SHCOD offers protection to the highway and should be continued. It covers many areas that are sensitive areas and you have no other alternative at this point.

Doug Burnell questioned if the current SHCOD prohibits building in the proposed right of way for the Bypass. Mr. Irving stated that if he is questioning if – as the SHCOD is currently delineated, does it start from the right of way and go out from both sides and not include the right of way itself – this is a good question and he has not researched this information. Mr. Burnell pointed out that he thinks that you may be able to build in the right-of-way if you want to risk having your new development torn down in a couple of years. Mr. Burnell stated he doesn't think our current ordinance protects against this and we may need to look at this a little more.

Bill Altenberg spoke again and advised he is on a committee of the North Country Council that does ratings for projects for the North Country. Mr. Altenberg advised of highway improvement projects discussed through this committee and advised that the Bypass is not going through the approval process of the North Country Council in the near future.

Mr. Altenberg next stated that on the Bypass, if you look carefully, the overlay district starts at the outer edge of the bypass corridor and goes out to 50 feet of the centerline of the bypass but does not include the bypass right-of-way. Mr. Irving next read allowed the definition of the SHCOD and confirmed to Doug Burnell that yes it does include the middle. The Bypass is included in the district and it regulates building. You still have setbacks, buffers, etc. and are limited to 5,000 square foot structures.

Mr. Porter asked for further public comments. There were none and the public comment portion of the meeting was closed at 8:25 p.m. Mr. Porter asked for Board comment; Mr. Sares asked Mr. Altenberg to explain how his proposal differs from Mr. Kennett's. Mr. Altenberg stated he feels we need to figure out how to use the land and work with the state on the abandoned lands. The SHCOD needs to be looked at but in a bigger picture context and all of the landowners should be able to look at the planning process.

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

Mr. Porter asked Mr. Kennett for final comments. Mr. Kennett stated he disagrees with Mr. deFeyter's comments. The 10-year plan is not out the window and the stimulus money coming to the state will only be for shovel ready projects such as the southern segment of the bypass, etc. The ten year plan isn't funded. There isn't a pot of money in Concord for the 10 year plan and it will depend on federal allocations and state money and it would be based on need for the project based on regional planning projects. As far as Mr. Altenberg's comments he doesn't disagree but if you already have stringent zoning laws this isn't going to open everything up and make a big difference.

Mr. Drinkhall questioned how many parcels would support a 5,000 square foot building if this were passed. Mr. Irving first clarified it would be a 5,000 square foot footprint and this doesn't mean you can't put in a 15,000 square foot, 3-story building. Mr. Irving identified several properties for potential development if the district went away and they are parcels along the North-South Road extending southerly from Barnes Road to Rt. 302 and crossing Rt. 302 that are in the Highway commercial District, i.e. properties such as the Mullen's property, Chicks property, KGI property, Wal-Mart and the Kennett Company property.

Ms. Sell advised she would be supporting the petition because she feels all the underlying zoning and restrictions would still apply in the highway commercial, residential agricultural and recreation resort districts. She is in favor of supporting the petition and allowing the voters to decide.

Mr. Sares agreed with Ms. Sell and added the safeguards against chaos that could occur can be hedged by the Planning Board and the Zoning Board of Adjustment (ZBA). Mr. Sares stated the Planning Board is the hedge and so is the ZBA against what could happen but he does not see anything happening.

Mr. Porter stated that what scares him is that the Town of Conway has nothing in place to regulate growth as to how fast and how furious. We have regulations and zoning items in place but there is nothing in place to stop anyone as long as they meet all of the criteria to build. There was further brief discussion regarding regulations and growth.

Mr. Drinkhall made a motion, seconded by Ms. Sell, to recommend the proposed amendment to §147.13.19.2 as written on the warrant. The motion failed (2-4-0) with Ms. Sell and Mr. Sares voting in the affirmative and Ms. Tobin and Messrs. Hartmann, Drinkhall and Porter voting in the negative.

**THE KENNETT COMPANY AND PETER AND PATRICIA SELL – BOUNDARY LINE
ADJUSTMENT (PID 264-50, 51, 52 & 54) FILE #S09-02**

Patricia Sell stepped down from her seat on the Board for purposes of this discussion and took a seat in the audience. Doug Burnell of H.E. Bergeron appeared before the Board. This is an application to add 0.07 of an acre to PID 264-54 (Sell Property) from PID 264-50, 51 & 52 (Kennett Company property).

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

Mr. Burnell presented a plan of the property and reviewed same. Mr. Burnell explained this was an old lane to the fields. This lane is totally overgrown and hasn't been used in years. The proposal is to attach this 1/10 of an acre to the Sell property. The deeds refer to the lane itself. There is a water line from the Conway Village Fire District that goes through the area and there has never been an easement for this and the Kennett Company will give an easement for this before this Boundary Line Adjustment is completed. Mr. Irving advised his recommendation is to accept as complete.

Mr. Drinkhall made a motion, seconded by Ms. Tobin, to accept the application of The Kennett Company and Peter and Patricia Sell for a Boundary Line Adjustment as complete. Motion carried unanimously.

There was next a brief discussion regarding street trees. Mr. Irving advised there are no questions from staff regarding the requested street tree waiver. Mr. Porter read the waiver request for §131-37.1.A. **Mr. Drinkhall made a motion, seconded by Mr. Sares, to grant the waiver for §131-37.1.A.** Mr. Porter asked for Board comment; there was none. Mr. Porter asked for public comment; there was none. **The motion carried unanimously.**

Mr. Irving asked if there are any monuments to be set. Mr. Burnell stated he would like to wait for better weather to set the monuments. Mr. Irving next advised that a letter was received from Conway Village Fire District asking for a water line easement. Mr. Irving suggested submission of surety for the monuments to be set.

Mr. Drinkhall made a motion, seconded by Mr. Sares, to conditionally approve the Boundary Line Adjustment for The Kennett Company and Peter and Patricia Sell conditionally upon surety for setting boundary monuments; Conway Village Fire District Approval; when the conditions have be met, the plans can be signed out of session; and this conditional approval will expire on May 14, 2009. The motion carried unanimously.

Ms. Sell asked to be excused from the meeting at 8:45 p.m.

**MOUNT WASHINGTON VALLEY ECONOMIC COUNCIL – 17-LOT SUBDIVISION
AND BOUNDARY LINE ADJUSTMENT REVIEW CONTINUED (PID 262-86.2 & 265-
152) FILE #S08-04**

This is an application to subdivide 74± acres into 17-lots, extend Technology Lane, and construct two new roads and a boundary line adjustment to add land to Technology Lane. This application was accepted as complete on June 12, 2008.

Mr. Irving stated that the applicant has requested that the application be continued until March 26, 2009. **Mr. Drinkhall made a motion, seconded by Mr. Sares, to continue the Subdivision Review for Mount Washington Valley Economic Council until March 26, 2009 with any new information to be provided no later than February 26, 2009. Motion carried unanimously.**

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

**FRAM DONUTS, INC/DUNKIN DONUTS – FULL SITE PLAN REVIEW CONTINUED
(PID 277-287) FILE #FR08-06**

This is an application to construct a 1,700 square foot/18-seat restaurant and associated infrastructure. This application was accepted as complete on August 28, 2008.

Mr. Irving stated that the applicant has requested that the application be continued until March 26, 2009. Mr. Irving stated it is his understanding there will be some significant changes. **Mr. Drinkhall made a motion, seconded by Ms. Tobin, to continue the Full Site Plan Review for Fram Donuts, Inc until March 12, 2009 with any new information to be provided no later than February 26, 2009. Motion carried unanimously.**

**RIVER RUN COMPANY, INC / THE STATION HOUSE – FULL SITE PLAN REVIEW
(PID 218-56) FILE #FR08-07**

This is an application to demolish the existing gas station and construct a 4,623 square foot/6-lodging unit building and associated infrastructure. This application was accepted as complete on October 9, 2008. Mr. Irving stated that the applicant has withdrawn the application. Mr. Irving advised this application was withdrawn by the applicant; however the Town has received a new application and the Board will be reviewing same at the next meeting.

OTHER BUSINESS

Bellevue Properties (PID 235-98) – §123-4.A.5 (File #NA09-03): Susan Lautenslager of the North Conway Hotel joined the meeting. Ms. Lautenslager reviewed the North Conway Hotel was granted in October of 2006 a 2,000 square foot pool building. Ms. Lautenslager advised they still intend on doing the pool building but would also like to construct a playground. Ms. Lautenslager explained the total area would be enclosed with fencing, the playground would be approximately 2,400 square feet and the remainder of the enclosed area would remain green grass.

Ms. Lautenslager asked that the Board find that the proposed playground be insignificant relative to the existing development and find that site plan review be inapplicable. **Mr. Drinkhall made a motion, seconded by Mr. Sares, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the construction of an outdoor playground 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. The motion carried unanimously (5-0-0).**

MSK Property Management LLC (PID 276-74) – §123-4.A.5 (File #NA09-04): Mark Cartier appeared before the Board and advised he would like to convert 1,700 square feet of restaurant space to office space. **Mr. Sares made a motion, seconded by Mr. Hartmann, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the conversion of 1,700 square feet of restaurant space to office space 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. The motion carried (4-0-1), with Ms. Tobin abstaining.**

**ADOPTED: February 26, 2009 – As Written
CONWAY PLANNING BOARD – FEBRUARY 12, 2009**

Pittsfield Aqueduct Company Inc (PID 231-109) – §123-4.A.5 (File #NA09-05): Shawn Bergeron of Bergeron Technical Services and John Boisvert of Pittsfield Aqueduct Company appeared before the Board. Mr. Bergeron and Mr. Boisvert presented a plan and drawing of the proposed project. Mr. Bergeron explained the location of the proposed project to the Board. Mr. Bergeron next requested relief of the rigorous site plan review process so they can just construct a shed on this property.

Mr. Bergeron stated that this building would generate no traffic and it would need no parking. Occasionally someone would need to visit the property to maintain the equipment on the property. Mr. Bergeron requested the Board find this proposed change of use and or physical changes to the site insignificant relative to the existing development and pursuant to provision of §123-4. A.5, a site plan review is not applicable.

Mr. Hartmann questioned if this is the property where the red house is located. Mr. Bergeron replied in the affirmative and advised the shed would be on the south side of that property. Mr. Hartmann asked about the disinfectant station and questioned if there would any be plumbing. Mr. Boisvert advised there would be an 8" pipe going in and out of the building. Mr. Porter questioned if this would be seen from the road. Mr. Boisvert confirmed it would not be seen from the road and it is all internal. Mr. Boisvert further advised this system would add a low dose of chlorine to the water system.

Mr. Drinkhall made a motion, seconded by Mr. Hartmann, that the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the construction of an 11' x 6' utility building to house a disinfection station 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. The motion carried unanimously.

Town of Conway (PID 277-17, 18 & 19) – Lot Merger: Mr. Sares made a motion, seconded by Mr. Drinkhall, to approve the lot merger requested by the Town of Conway to combine PID 277-17, 18 and 19. Motion carried unanimously.

Town of Conway (PID 277-46 & 47) – Lot Merger: Mr. Sares made a motion, seconded by Mr. Drinkhall, to approve the lot merger requested by the Town of Conway to combine PID 277-46 & 47. Motion carried unanimously.

Town of Conway (PID 277-53, 54 & 55) – Lot Merger: Mr. Sares made a motion, seconded by Mr. Drinkhall, to approve the lot merger requested by the Town of Conway to combine PID 277-53, 54 & 55. The motion carried unanimously.

Committee Reports: Mr. Porter asked for Committee reports; there were no reports.

The meeting adjourned at 9:02 p.m.

Respectfully Submitted,

Karen J. Hallowell, Executive Secretary

Saco River Medical Group Proposal for 15 Greenwood Ave.

- HISTORY: started 1996 - 13 years ago
built 7 Greenwood - 10 years ago with Dr. Ryan
satisfying need - soon to see 50,000th new Patient
doubled in size & activity:
original - 6 clinicians - now 14
patient activity has doubled
- NOW: bursting at the seams - no more rooms available
- FUTURE: anticipate continuing growth to serve the community
more - primary care - adult & pediatrics
Walk-In
Spine Center
VA wants own space
consultant space
mental health
anticipate need for an additional 6-7000 sq. ft.
- GROWTH REQUIRES PARKING:
NOW: 35 spaces & lease from ECHO for staff
NEED: 65-70 spaces
- PROPOSAL: make parking at 15 Greenwood = ideal size & location
 - no other options nearby - make zoning change or clinic may have to move or not serve the needs
 - location works well - we'd like to stayrecognize essentially residential nature of neighborhood
want to be good neighbors - talking to abutters:
 - showing photos of visual impact
 - listening:
VISUAL IMPACT - mitigate with hedge / fence
NOISE - hedge / fence or wall
KID CONTROL - limit / control access - police
LIGHTING - directional - ideal height??
- RATIONALE FOR 10-LOT ZONING CHANGE: 4 lots are now non-conforming & 15 Greenwood = 5 of 10 are or were commercial, 1 parsonage, 4 private residential