

CONWAY PLANNING BOARD

MINUTES

JANUARY 27, 2011

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| 2 | Heartbreak Hotel, LLC (PID 217-24) – Minor Site Plan Review (File #MR11-01) <ul style="list-style-type: none">• Conditionally Approved |
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CONWAY PLANNING BOARD

MINUTES

JANUARY 27, 2011

A meeting of the Conway Planning Board was held on Thursday, January 27, 2011 beginning at 7:01 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; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Drinkhall made a motion, seconded by Ms. Tobin, to approve the Minutes of December 9, 2010 as written. Motion unanimously carried.

ZONING AMENDMENTS PROPOSED BY THE PLANNING BOARD – PUBLIC HEARING

Highway Commercial District (§147.13.8.1.3): This is an amendment to include PID 246-22 (Saco River Campground) within the Highway Commercial District. Mr. Irving stated this amendment changes adjacent property to the highway commercial district from residential agricultural to highway commercial. Mr. Irving stated this is the Saco River Campground property. Mr. Porter asked for Board comment; there was none.

Mr. Porter opened the public hearing at 7:04 pm. Mr. Porter asked for public comment; there was none. Mr. Porter closed the public hearing at 7:05 pm.

Ms. Sell made a motion, seconded by Mr. Drinkhall, to post the proposed amendment to §147.13.8.1.3 to the warrant as written. Motion unanimously carried (4-0-0).

Accessory Apartments (§147.13.1.2.4.2; §147.13.2.2.4.2; §147.13.3.2.4.2; §147.13.4.2.4.2; §147.13.5.2.5.2; §147.13.6.3.5.2; §147.13.7.2.5.2; §147.13.8.2.5.2; and §147.13.12.3.4): This is an amendment to remove redundant clauses regarding NHDES approvals and the application form. Mr. Irving stated the information for both requirements are required on a building permit application. Mr. Porter asked for Board comment; there was none.

Mr. Porter opened the public hearing at 7:07pm. Mr. Porter asked for public comment; there was none. Mr. Porter closed the public hearing at 7:07 pm.

Ms. Tobin made a motion, seconded by Ms. Sell, to post the proposed amendment to §147.13.1.2.4.2; §147.13.2.2.4.2; §147.13.3.2.4.2; §147.13.4.2.4.2; §147.13.5.2.5.2; §147.13.6.3.5.2; §147.13.7.2.5.2; §147.13.8.2.5.2; and §147.13.12.3.4 to the warrant. Motion unanimously carried (4-0-0).

ZONING AMENDMENTS – PETITIONED ARTICLES – PUBLIC HEARING

There were no petitioned articles submitted.

OTHER BUSINESS

Tarberry Company, LLC (PID 218-49) – §123-4.A.5 (File #NA11-01): Sheila Duane appeared before the Board. Ms. Duane stated that they would like to change from office space to a residential unit. Ms. Duane stated that they received approval from the Zoning Board of Adjustment to change commercial use to a residential use. Ms. Duane stated that this property is serviced by precinct water and sewer and there would be no effect on greenspace and parking.

Ms. Sell made a motion, seconded by Mr. Drinkhall, the Planning Board determined that based on the provisions of §123-4. A. 5., regarding applicability, that the change of use from office space to a residential unit 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. Mr. Porter asked for public comment; there was none. **Motion unanimously carried.**

HEARTBREAK HOTEL, LLC (PID 217-24) – MINOR SITE PLAN REVIEW (FILE #MR11-01)

Shawn Bergeron of Bergeron Technical Services appeared before the Board. This is an application to remove the non-conforming commercial business and construct four additional one-bedroom apartments (for a total of 12 one-bedroom apartments) in the existing building and construct three of the proposed 8, one-bedroom apartments in a second building as part of phase I; then construct the remaining five one-bedroom apartments as phase II (for a total of 20 residential units and no commercial units).

Mr. Bergeron stated the septic systems that exist lost their approval when the restaurant went away. Mr. Bergeron stated that the State will not allow the 20 units in total until some things are done to the septic; therefore, they are phasing the construction of a number of apartments. **Mr. Drinkhall made a motion, seconded by Ms. Tobin, to accept the application of Heartbreak Hotel, LLC for a Minor Site Plan Review as complete. Motion unanimously carried.**

Mr. Porter asked for Board comment; there was none. Mr. Porter asked for public comment; there was none.

Mr. Porter read the waiver request for §123-20.F/§131-67.C.8.f. **Mr. Drinkhall made a motion, seconded by Ms. Sell, to grant the waiver request for §123-20.F/§131-67.C.8.f.** Mr. Porter asked for Board comment; Ms. Sell asked if this would affect the school bus that parks there. Mr. Bergeron answered in the negative. Mr. Irving stated that site itself and the buildings were previously approved. **Motion unanimously carried.**

Mr. Porter read the waiver request for §123-29.D.8. **Mr. Drinkhall made a motion, seconded by Ms. Tobin, to grant the waiver request for §123-29.D.8. Motion unanimously carried.**

Ms. Tobin made a motion, seconded by Ms. Sell, to conditionally approve the minor site plan for Heartbreak Hotel, LLC conditionally upon North Conway Fire Chief Approval; NHDES Septic Approval for Phase I; a performance guarantee for all site improvements; when the conditions have been met, the plans can be signed out-of-session; this conditional

Adopted: February 10, 2011 - As Written
CONWAY PLANNING BOARD – JANUARY 27, 2011

approval will expire on April 28, 2011; and a subsequent condition of an NHDES Septic approval of Phase II prior to issuance of a building permit for any Phase II units. Motion unanimously carried.

OTHER BUSINESS CONTINUED


Seth Winslow (PID 277-283) – Extension of conditional approval request (File #FR10-07 & #S10-10): Burr Phillips of Civil Solutions appeared before the Board. Mr. Phillips stated that they will not begin construction until spring and he would like to submit the bonding at the time they want to start construction. **Mr. Drinkhall made a motion, seconded by Ms. Sell, to grant the extension for Seth Winslow until May 26, 2011. Motion unanimously carried.**

Gift of Land (PID 276-220) – Irma Lane, Conway: Mr. Irving stated that the owners of the property would like to give this land to the Town of Conway. Mr. Irving stated that the property is in the floodplain and most likely not buildable. Mr. Irving stated in the future this could provide access to Pequawket Pond and provide preservation of park land. **Ms. Sell made a motion, seconded by Ms. Tobin, to recommend to the Board of Selectmen that they accept the gift of land on Irma Lane. Motion carried with Mr. Drinkhall abstaining from voting.**

Committee Reports: Mr. Porter gave a copy of the Planning Board annual report to the Board.

Meeting Adjourned at 7:31 pm.

Respectfully Submitted,



Holly L. Meserve
Planning Assistant

Article 2: To see if the Town will vote to adopt amendment No. 1 to Chapter 147 (Zoning Ordinance) to rezone 2010 Tax Map 246 Parcel 22 (Saco River Campground) from Residential Agricultural to Highway Commercial. Proposed by the Planning Board. Recommended by the Planning Board (, ,)

Amendment #1

147.13.8.1.3 NORTH CONWAY AREA SOUTH OF NORTH CONWAY VILLAGE.

The HC District in the North Conway area south of North Conway Village shall have the following bounds (Map and Parcel numbers refer to 2003 Town of Conway Tax Maps): commencing at the point on the thread of Kearsarge Brook 500 feet easterly of the centerline of Route 16; thence southerly parallel with and 500 feet from the centerline of Route 16 to the centerline of Locust Lane; thence easterly along the centerline of Locust Lane and continuing on the same bearing to the centerline of the North/South Road; thence southerly along the centerline of the North/South Road to a point adjacent to the southeast corner of Map 230, Parcel 51;

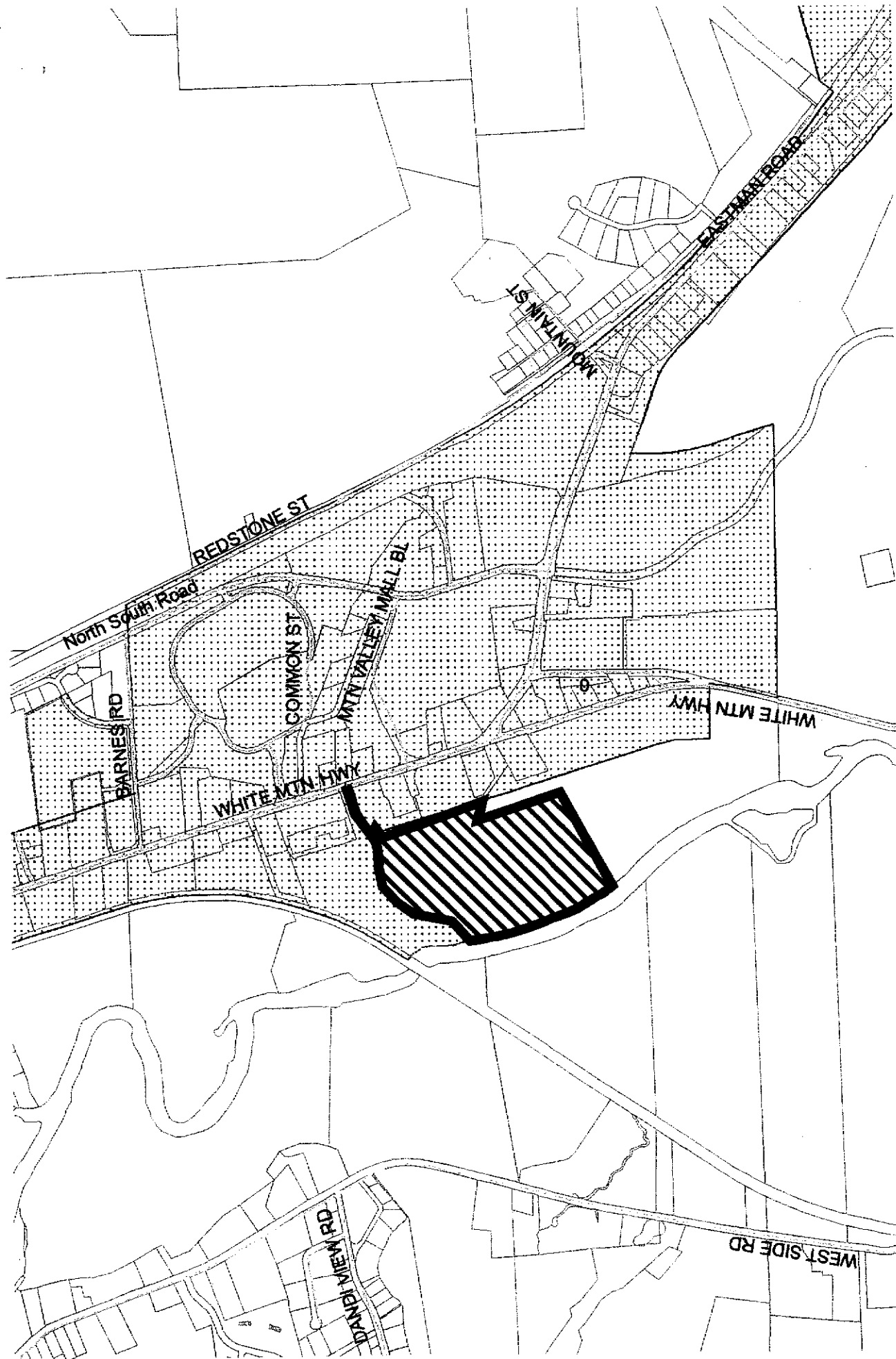
thence westerly through the southeast corner of Map 230, Parcel 51 and continuing along the southern boundary of Map 230, Parcel 51 to a point 500 feet from the centerline of Route 16; thence southerly parallel with and 500 feet from the centerline of Route 16 to the northern boundary of Map 235, Parcel 35; thence easterly along the northern boundary of Map 235, Parcel 35 to the centerline of the North-South Road; thence southerly along the centerline of the North-South Road to a point adjacent to the southeast corner of Map 235, Parcel 35; thence westerly through the southeast corner of Map 235, Parcel 35 and continuing along the southern boundary of Map 235, Parcel 35 to a point 500 feet from the centerline of Route 16;

thence southerly parallel with and 500 feet from the centerline of Route 16 to the northerly boundary of Map 235, Parcel 78; thence easterly along the northerly boundary of Map 235, Parcel 78 to its easterly boundary, common with the westerly boundary of Map 235, Parcel 70; thence southerly along the easterly boundary of Map 235, Parcel 78 and continuing to the southerly boundary of the Puddin' Pond Drive ROW; thence in general westerly, then southerly direction along the southerly boundary of the Puddin' Pond Drive ROW to the southern boundary of the Barnes Road ROW at the southwest corner of Map 235, Parcel 82; thence easterly and following the same bearing as the southern boundary of the Barnes Road ROW to the centerline of Map 219, Parcel 211 (former Maine Central Railroad); thence southerly along the centerline of Map 219, Parcel 211 (former Maine Central Railroad) to a point adjacent to the southwest corner of Map 252, Parcel 31;

thence northeasterly through the southwest corner Map 252, Parcel 31 to the southwest corner of Map 252, Parcel 42; thence traversing Map 252, Parcel 42 easterly in a straight line to the northwest corner of Map 252, Parcel 47; thence southerly along the western boundary of Map 252, Parcel 47 and continuing on the same bearing to the centerline of Map 219, Parcel 211 (former Maine Central Railroad); thence southeasterly along the centerline of Map 219, Parcel 211 (former Maine Central Railroad) to the centerline of East Conway Road; thence westerly along the centerline of East Conway Road and continuing on the same bearing to a point 400 feet west of the centerline of Route 302;

thence northerly parallel with and 400 feet from the centerline of Route 302 to the western boundary of the proposed 9A Bypass ROW; thence southerly along the western boundary of the proposed 9A Bypass ROW to a point where an extension of the southern boundary line of Map 246, Parcel 17 intersects with the western boundary of the proposed 9A Bypass ROW; thence westerly in a straight line to the southeast corner of Map 246, Parcel 17; thence westerly along the southern boundary line of Map 246, Parcel 17 and continuing on the same bearing to the centerline of Route 16; thence northerly along the centerline of Route 16 to the intersection of the centerline of Shaws Way;

thence west to a point 500 feet from the centerline of Route 16; thence northerly parallel with and 500 feet from the centerline of Route 16 to the southwestern boundary of Map 246, parcel 20.001; thence northwesterly along the southwestern boundary Map 246, parcel 20.001 to the western boundary of Map 246, Parcel 22; thence northwesterly, southerly and westerly along the boundary of Map 246, parcel 22 ~~southern boundary of the Map 246, parcel 23~~; thence ~~westerly along the southern boundary of the Map 246, parcel 23~~ to the eastern shore of the Saco River; thence northerly along eastern shore of the Saco River to the centerline of Map 218, parcel 35 (Conway Scenic Railroad); thence northerly along the centerline of Map 218, parcel 35 (Conway Scenic Railroad) to the thread of Kearsarge Brook, and thence easterly along the thread of Kearsarge Brook to the point of commencement.



North South Road

REDSTONE ST

BARNES RD

COMMON ST

MOUNTAIN VALLEY MILL BL

WHITE MTN HWY

WHITE MTN HWY

DANIEL NEW RD

WEST SIDE RD

MOUNTAIN ST

EAST WATER ROAD

Article 3: To see if the Town will vote to adopt amendment No. 2 to Chapter 147 (Zoning Ordinance) which deletes the following sections and renumbers the ordinance accordingly: §147.13.1.2.4.2.1; §147.13.1.2.4.2.4; §147.13.2.2.4.2.1; §147.13.2.2.4.2.4; §147.13.3.2.4.2.1; §147.13.3.2.4.2.4; §147.13.4.2.4.2.1; §147.13.4.2.4.2.4; §147.13.5.2.5.2.1; §147.13.5.2.5.2.4; §147.13.6.3.5.2.1; §147.13.6.3.5.2.4; §147.13.7.2.5.2.1; §147.13.7.2.5.2.4; §147.13.8.2.5.2.1; §147.13.8.2.5.2.4; §147.13.12.3.4.1.1 and §147.13.12.3.4.1.4 to eliminate the NH DES permitting and redundant information at the time of ZBA application; these requirements already being required at other stages of the permitting process. Proposed by the Planning Board. Recommended by the Planning Board (, ,)

Amendment # 2

147.13.X...X In order to help provide year round rental housing, the Zoning Board of Adjustment may grant a special exception for one accessory apartment as an accessory use to an owner-occupied single family dwelling, on any size lot subject to the following conditions:

~~147.13.X...X.1~~ The subject property is serviced by precinct water and sewer or that the New Hampshire Department of Environmental Services has issued a permit for construction for sewerage or waste disposal system.

147.13.X...X.21 The accessory apartment is designed to ensure architectural compatibility with the neighborhood.

147.13.X...X.32 Sufficient parking is located on site.

~~147.13.X...X.4~~ An Accessory Apartment Application is submitted for the ZBA review.

2010 Town of Conway Planning Board Annual Report

2010 saw the Planning Board continue with its task of promoting economic growth in the valley while maintaining the environmental and aesthetic integrity in accordance with the Master Plan. This included promoting and protecting green space and encouraging landscape enhancements for commercial developments. The Planning Board also, as suggested in the Master Plan, approved workforce housing projects that will supplement the Town's quantity, quality and variety of housing choices.

The Board saw new members join this year. They embraced their new duties with great passion and enthusiasm. They provided good input and exhibited knowledge regarding all issues presented at Planning Board meetings while still looking at the concerns and needs of all parties involved.

Even though new construction was slow throughout the year the Board used this time to address several planning and zoning issues that included streamlining processes and eliminating inefficiencies. The Board also considered night time lighting and energy conservation relative to Site plan review regulations and site developments. The objectives included reducing night time lighting impacts, reducing energy waste due to inefficient lighting practices and promoting Dark Sky initiatives. With special thanks to Steve Hartmann and Tom Irving for doing most of the leg work on this Project

At this time I would like to thank Tom Irving and Holly Meserve for all the diligent work that they do to ensure that the Planning Board is able to do its job in the most professional way possible. And I would like to thank all the Board members for all of their tireless energy to help promote positive growth within the Valley and special thanks to all the people in the Town of Conway for all your support for the Planning Board.

Respectfully Submitted
Steven Porter, Chair
Martha Tobin, Vice-Chair
Patricia Sell, Secretary
Bob Drinkhall, Selectman's Rep.
Steve Hartmann
Scott Lees
David Sordi
Ray Shakir, Alternate

Special thanks also go to Ted Sares for all the hard work and invaluable knowledge that he brought to the Board in the past.



MEMO

TO: Planning Board
Conservation Commission

FROM: Earl Sires, Town Manager

DATE: January 3, 2011

RE: Offer of Gift of Land
Tax Map/Lot # 276-220

The owner of the above-referenced parcel has offered to gift this land to the Town of Conway.

I have attached a copy of the tax map relevant to the above lot. Kindly review and provide a recommendation as to whether the Town should accept the parcel.

Thank you.

cc: Board of Selectmen
Tom Irving/Planning Director



TOWN OF CONWAY

1634 EAST MAIN ST. • CTR. CONWAY, NEW HAMPSHIRE 03813

(603) 447-3811
FAX (603) 447-1348
WWW.CONWAYNH.ORG

January 3, 2011

Joseph Bolton
Carol Bolton
9 St Sebastian Court
Stafford VA 22556

Re: Offer of gift of land
Tax Map/Lot # 276-220

Dear Mr. Bolton:

Thank you for your note of December 22, 2010 offering to gift the above-referenced parcel to the Town of Conway. Please be advised that all offers of gifts of land must be reviewed by the Conservation Commission and Planning Board to determine if the lot provides buffer protection, recreational trail value and/or some other public benefit. Once the recommendations are received by the Board of Selectmen, the Board will determine if it is in the best interest of the community to accept the parcel and, if so, they are next required to hold two public hearings before formally accepting the offer. Please be aware that this process may take 60-120 days to complete due to Board schedules and noticing requirements.

Further, please be advised that should the Town accept your offer, all taxes on the subject parcel must be current at the time of the transfer.

We will continue to keep you advised. Should you have any questions or concerns regarding the above, please don't hesitate to contact my office.

Thank you for your courtesy and consideration.

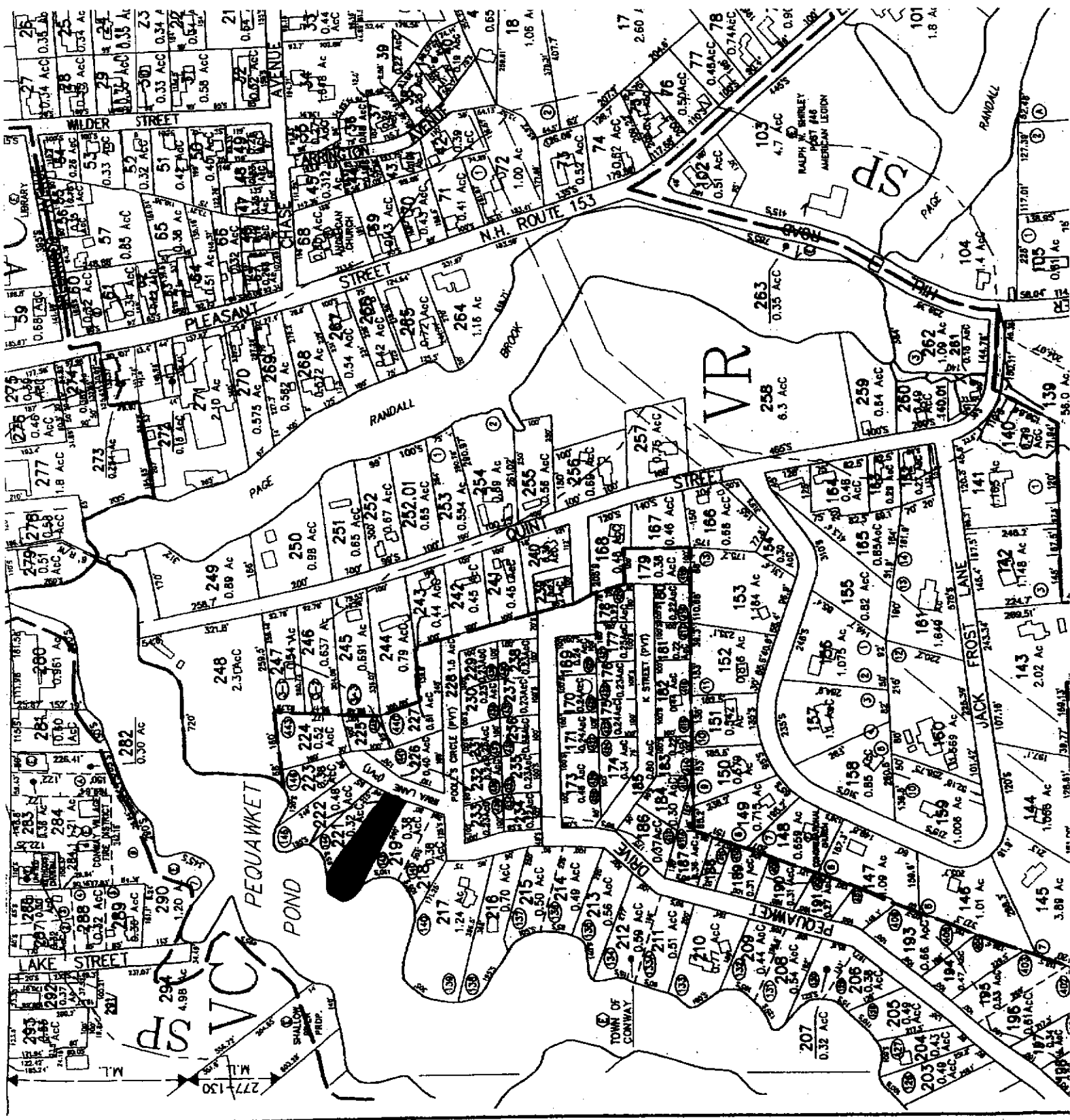
Sincerely,

TOWN OF CONWAY

Earl W. Sires
Town Manager

enc.

cc: Board of Selectmen
Conservation Commission
Planning Board
Rhoda Quint, Town Clerk/Tax Collector



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