

CONWAY PLANNING BOARD

MINUTES

NOVEMBER 8, 2012

PAGES

- | | |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Review and Acceptance of Minutes <ul style="list-style-type: none">• October 11, 2012 – Adopted as written |
| 1 | Walmart Real Estate Business Trust (Carroll County Leasing and State of NH) PID 246-62, 246-61 & 235-55 – Full Site Plan Review Continued (File #FR12-06) <ul style="list-style-type: none">• Continued until December 13, 2012 |
| 1 | The Charles T. Filip Revocable Trust of 1992/The Jan G. Filip Revocable Trust of 1992 (PID 235-15) – Full Site Plan Review (File #FR12-11) <ul style="list-style-type: none">• Conditionally Approved |
| 3 | Other Business <ul style="list-style-type: none">• Wilmark II LLC/Crest Chevrolet - §123-4.A.5 (File #NA12-13)• Larry and Susan Wilson-Blaney – Lot Merger (PID 251-87 & 97)• Committee Reports |

CONWAY PLANNING BOARD

MINUTES

NOVEMBER 8, 2012

A meeting of the Conway Planning Board was held on Thursday, November 8, 2012 beginning at 7:15 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Mary Seavey; Steven Hartmann; Kevin Flanagan; Eric Porter; Planning Director, Thomas Irving and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Hartmann made a motion, seconded by Mr. Flanagan, to approve the Minutes of October 11, 2012 as written. Motion unanimously carried.

WALMART REAL ESTATE BUSINESS TRUST (CARROLL COUNTY LEASING AND STATE OF NH) CONTINUED (PID 246-62, 246-61 & 235-55) – FULL SITE PLAN REVIEW (FILE #FR12-06)

John Sokul, Jr of Hinckley & Allen appeared before the Board. This is an application to construct a 52,994 square foot retail expansion to the existing Wal-Mart. This hearing was continued from June 28, 2012; July 26, 2012; September 13, 2012; and September 27, 2012.

Ms. Seavey made a motion, seconded by Mr. Flanagan, to continue the Full Site Plan for Wal-Mart until December 13, 2012 with new information to be submitted by November 21, 2012. Motion unanimously carried.

THE CHARLES T. FILIP REVOCABLE TRUST OF 1992/THE JAN G. FILIP REVOCABLE TRUST OF 1992 (PID 235-15) – FULL SITE PLAN REVIEW (FILE #FR12-11)

Jan Filip appeared before the Board. This is an application to construct an 8-unit hotel building, garage and associated infrastructure. **Mr. Steve Porter made a motion, seconded by Ms. Seavey, to accept the application of The Charles F. Filip Revocable Trust/The Jan G. Filip Revocable Trust of 1992 for a Full Site Plan Review as complete. Motion unanimously carried.**

Mr. Irving stated a number of the requested waivers were already reviewed and granted under a previous application in 2004. Mr. Irving stated there is a new waiver for connecting drives; however, staff has no objections to the requested waivers. Mr. Irving read an email from Russell Seybold of the Conway Scenic Railroad. Mr. Irving stated that the Town does not have any particular provisions that require installing fencing and when the Hampton Inn was under review they were not required to install fencing.

Mr. Hartmann asked why the applicant is requesting a waiver for site lighting. Mr. Irving stated that it is relevant to the existing site lighting; they would like to retain the existing lighting as it was approved in 2004. Mr. Irving stated that the new proposed lighting meets the requirements. Mr. Hartmann asked with the proposed driveway there is a lot of disturbed green space. Mr. Irving stated that they meet the green space requirement.

Mr. Irving asked if there are any exterior mechanicals proposed that are not shown on the plans. Mr. Filip stated there would be units on the side of the building, but they would not be on the ground nor is there a concrete pad. Mr. Irving asked if these units would be on the south wall. Mr. Filip answered in the negative and stated they would not be facing the Hampton Inn.

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

Mr. Porter read the waiver request for §123-20.C/§123-20.F/§131-67.C.8.b & f; §123-20.G; §123-26.5; §123-29.A & A.3; §123-29.D.8. **Mr. Steve Porter made a motion, seconded by Mr. Hartmann, to grant the waiver for §123-20.C/§123-20.F/§131-67.C.8.b & f; §123-20.G; §123-26.5; §123-29.A & A.3; §123-29.D.8. Motion unanimously carried.**

Mr. Flanagan made a motion, seconded by Ms. Seavey, to conditionally approve the Full Site Plan for Charles and Jan Filip Revocable Trusts of 1992 conditionally upon indicating the square footage of proposed buildings on plan; demonstrating compliance with street tree quantity requirements; demonstrating compliance with parking lot tree requirements; indicating “Van Accessible” signs on all handicap parking spaces; revising the waivers granted table; North Conway Fire Chief approval; Town Engineer approval; NHDOT driveway permit and indicate approval number on plan; 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 February 14, 2013. Motion unanimously carried.

OTHER BUSINESS

Wilmark II LLC/Crest Chevrolet - §123-4.A.5 (File #NA12-13): Josh McAllister of H.E. Bergeron Engineers appeared before the Board. This is a request to allow architectural upgrades to the existing building.

Mr. McAllister stated Crest Chevrolet is being asked by Chevrolet Corporation to participate in an upgrade program and they have site requirements that are being passed on to Crest. Mr. McAllister stated that this is the third time the applicant has been before the Board. Mr. McAllister stated that they are proposing a covered parking area, an entry way on the front of the building and new architectural materials on the face of the building.

Mr. McAllister stated that the originally the materials proposed were outside of the architectural requirements. Mr. McAllister stated when we came back a second time they proposed a concrete material that would meet the requirements, but was denied because it was not a natural material. Mr. McAllister stated they are now asking the Board consider where it calls for composite material to be replaced with a wood façade.

**Adopted: December 13, 2012 – As Written
CONWAY PLANNING BOARD – NOVEMBER 8, 2012**

Mr. Hartmann asked if it would be a wood material. Mr. Irving stated it would be a smooth wood surface and painted to look like a composite surface. Mr. Hartmann stated that the property owner is between a rock and a hard place; corporate national standard versus Town regulation. Mr. Irving read the intent and purpose of the Architectural Design standards.

Mr. Hartmann stated that he believes that it is significant. Mr. Flanagan agreed. Ms. Seavey stated that they are an existing business that is being mandated by above to conform to a certain look; we have to be open-minded. Mr. Hartman stated that the Town should not sell out to Corporations, they should bend to us. Mr. Hartmann stated Chevrolet should adapt to their environment. Ms. Seavey stated if this was a new business she would agree, but this is a business that has supported to our community for many years and we have to be concerned with businesses that have been here for many years.

Mr. Weiss stated that we are the biggest property on Eastman Road and we want to be compliant with Chevrolet Corporation. Mr. Weiss stated that we have been there since 1976 and we are not going to meet the current regulations. Mr. Weiss stated they are willing to paint the wood every five or ten years to meet the regulation. Mr. Hartmann asked if we do find that this is significant would the entire property have to be under site plan review. Mr. Irving answered in the affirmative, but during the site plan review process you would have the waiver option. Mr. Hartmann stated that his main concern is for it to come into architectural compliance.

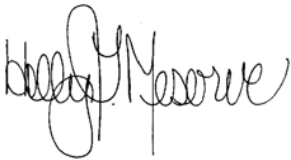
Mr. Steve Porter made a motion, seconded by Ms. Seavey, that the Planning Board determined that based on the provisions of §123-4. A. 5, regarding applicability that the architectural upgrades to the existing building are not subject to a Minor or Full Site Plan Review because it has been demonstrated that the change of use and/or physical changes to the site are not insignificant relative to the existing development. Motion defeated with Mr. Steve Porter, Mr. Hartmann, Mr. Flanagan and Mr. Eric Porter voting in the negative and Ms. Seavey voting in the affirmative.

Larry and Susan Wilson-Blaney – Lot Merger (PID 251-87 & 97): Mr. Steve Porter made a motion, seconded by Mr. Eric Porter, to approve the lot merger to merge PID 251-87 & 97 for Larry and Susan Wilson-Blaney. Motion unanimously carried.

Committee Reports: There was none.

Meeting adjourned at 7:54 p.m.

Respectfully submitted,



Holly L. Meserve
Recording Secretary