

ZONING BOARD OF ADJUSTMENT

MINUTES

JANUARY 17, 2018

A meeting of the Conway Zoning Board of Adjustment was held on Wednesday, January 17, 2018 at the Conway Town Office in Center Conway, NH, beginning at 7:00 pm. Those present were: Chair, Phyllis Sherman; John Colbath; Andrew Chalmers; Luigi Bartolomeo; Steven Steiner; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

PUBLIC HEARINGS

A public hearing was opened at 7:00 pm to consider a **SPECIAL EXCEPTION** requested by **CAB AND SPB REALTY** in regards to §190-30.A.(2) of the Conway Zoning Ordinance **to change one non-conforming use, retail sales, to another non-conforming use, an office**, at 984 White Mountain Highway, North Conway (PID 251-156). Notice was published in the Conway Daily Sun and certified notices were mailed to abutters on Friday, January 5, 2018.

Shawn and Caitlin Baldwin appeared before the Board. Ms. Sherman read the application and the applicable section of the ordinance. Ms. Sherman stated that only four members were present and the applicant is entitled to a five-member Board. Ms. Sherman asked if the applicant would like to proceed with four members or continue the hearing until five members were present. Mr. Baldwin agreed to proceed with four members.

Ms. Sherman asked how many people would be occupying the space. Mr. Baldwin stated one tenant with three or four employees; it is an insurance company. Mr. Bartolomeo asked the present use. Mr. Baldwin stated it was previously a retail bridal shop. Mr. Irving stated that retail use is usually a more intensive use than an office use. Ms. Sherman stated the hours are probably eight to five. Mr. Baldwin stated he would imagine. Mr. Baldwin stated everything is staying the same on the outside. Mr. Chalmers asked if just the use is changing. Mr. Baldwin answered in the affirmative.

Ms. Sherman read item 1. **Mr. Chalmers made a motion, seconded by Mr. Steiner, that the proposed use is confined to the same lot to which the original nonconforming use would be confined.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 2. **Mr. Chalmers made a motion, seconded by Mr. Steiner, that the proposed use has the same or lesser impact on the neighborhood relative to public health, safety and/or welfare.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 3. **Mr. Chalmers made a motion, seconded by Mr. Steiner, that the proposed use has the same or lesser impact on the neighborhood relative to impact on property values of adjacent properties.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Adopted: February 21, 2018 – As Written

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Ms. Sherman read item 4. **Mr. Chalmers made a motion, seconded by Mr. Steiner, that the proposed use has the same or lesser impact on the neighborhood relative to traffic.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 5. **Mr. Chalmers made a motion, seconded by Mr. Steiner, that the proposed use has the same or lesser impact on the neighborhood relative to nuisance to neighbors.** Ms. Sherman asked for Board comment; there was none. **Motion unanimously carried.**

Ms. Sherman read item 6. **Mr. Chalmers made a motion, seconded by Mr. Steiner, that the proposed use has the same or lesser impact on the neighborhood relative to nuisance to noise.** Ms. Sherman asked for Board comment; there was none. **Motion carried unanimously.**

Ms. Sherman read item 7. **Mr. Chalmers made a motion, seconded by Mr. Steiner, that the proposed use has the same or lesser impact on the neighborhood relative to nuisance nighttime lighting.** Ms. Sherman asked for Board comment; there was none. **Motion carried unanimously.**

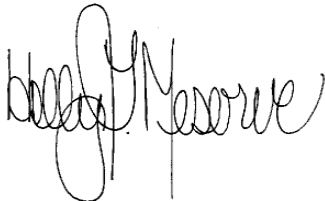
Mr. Chalmers made a motion, seconded by Mr. Steiner, that, based on the forgoing findings of fact, the Special Exception pursuant to §190-30.A.(2) of the Town of Conway Zoning Ordinance to change one non-conforming use, retail sales, to another non-conforming use, an office, be granted. Motion carried unanimously.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Bartolomeo made a motion, seconded by Mr. Steiner, to approve the Minutes of December 20, 2017 as written. Motion carried unanimously.

Meeting adjourned at 7:18 pm.

Respectfully Submitted,



Holly L. Meserve
Recording Secretary