

CONWAY PLANNING BOARD

MINUTES

MARCH 14, 2019

PAGES

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| 1 | Review and Acceptance of Minutes <ul style="list-style-type: none">• February 14, 2019 – Adopted as Written |
| 1 | Bellevue Properties, Inc. – Full Site Plan Review Continued (PID 235-98) File #FR19-01 <ul style="list-style-type: none">• Continued until April 25, 2019 |
| 1 | 20Ten Investments, LLC/DVS Family, LLC/1858 Conway, LLC/Rushil Conway, LLC/RAJ 1858, LLC – Full Site Plan Review (PID 235-17 & 17.1) File #FR19-03 <ul style="list-style-type: none">• Continued until April 25, 2019 |
| 5 | Other Business <ul style="list-style-type: none">• First Church of Christ, Congregational and Sugarland North Realty Trust (File #FR18-03 & #S18-07) – Request to extend conditional approval (PID 219-205, 206 & 207)• DJA Properties, LLC (File #FR18-08) – Request to extend conditional approval (PID 277-223) |
| 5 | Public Hearing – Proposed Amendments to the Site Plan Review Regulations <ul style="list-style-type: none">• §110-4.A.(4)• 110-30.C.(1)(d) |
| 6 | Public Hearing – Proposed Amendments to the Subdivision Review Regulations <ul style="list-style-type: none">• §130-66.C.(5) |
| 6 | Other Business Continued <ul style="list-style-type: none">• March 28, 2019 Planning Board meeting – canceled |

CONWAY PLANNING BOARD

MINUTES

MARCH 14, 2019

A meeting of the Conway Planning Board was held on Thursday, March 14, 2019 beginning at 7:00 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Hartmann; Selectmen's Representative, Steven Porter; Vice Chair, Michael Fougere; Secretary, Sarah Verney; Raymond Shakir; Steven Steiner; Benjamin Colbath; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Porter made a motion, seconded by Mr. Colbath, to approve the Minutes of February 14, 2019 as written. Motion carried unanimously.

BELLEVUE PROPERTIES, INC. – FULL SITE PLAN REVIEW CONTINUED (PID 235-98) FILE #FR19-01

David Fenstermacher of VHB appeared before the Board. This is an application to construct a 3-story, 33-room addition; to construct a 10,260 square foot enclosed pool addition; and to construct a 2,560 square foot lobby and new porte cochere with associated infrastructure. This application was accepted as complete on January 24, 2019.

Mr. Fenstermacher requested a continuance. **Mr. Porter made a motion, seconded by Mr. Colbath, to continue the public hearing for Bellevue Properties, Inc. until April 25, 2019. Motion carried unanimously.**

Mr. Porter made a motion, seconded by Mr. Steiner, to continue further consideration of this application to April 25, 2019 with the requirement that all new information be submitted on or before 4:00 pm on April 11, 2019. Motion carried unanimously.

20TEN INVESTMENTS, LLC/DVS FAMILY, LLC/1858 CONWAY, LLC/RUSHIL CONWAY, LLC/RAJ 1858, LLC – FULL SITE PLAN REVIEW (PID 235-17 & 17.1) FILE #FR19-03

Josh McAllister of HEB Engineers appeared before the Board. This is an application to construct a 20,292 square foot, 3-story, 115-room hotel and associated infrastructure and to approve pad sites for a 5,800 square foot restaurant space and a 4,970 square foot retail/bank space. Mr. McAllister gave an overview of the project. Mr. McAllister stated the applicants are requesting a lot merger as well to merge the two-lots into one-lot of record.

Mr. Colbath made a motion, seconded by Mr. Steiner, to accept the application of 20Ten Investments, LLC/DVS Family, LLC/1858 Conway, LLC/Rushil Conway, LLC/RAJ 1858, LLC for a full site plan review as complete. Motion carried unanimously.

Adopted: April 11, 2019 – As Written
CONWAY PLANNING BOARD – MARCH 14, 2019

Mr. Irving stated there is a NHDOT scoping meeting scheduled for March 21, 2019, and staff will be attending. Mr. Irving stated this may result in modifications to the site, specifically the driveways, so the applicant will be requesting that the review of this application be continued.

Mr. McAllister stated this is the former Junge's Motel site which is two parcels of land at the moment. Mr. McAllister stated the proposal is to demolish the existing development and merge the two lots into one lot of record. Mr. McAllister stated they have reserved pad sites, which they are not looking for approval at this time, but have encompassed the uses to be able to provide parking and improvements associated with those uses.

Mr. McAllister stated other than a few waiver requests, the site generally meets the site plan review regulations. Mr. McAllister reviewed the drainage and utility services. Mr. McAllister stated as mentioned they do have a scoping meeting with the NHDOT and there likely will be discussion regarding the number and location of driveways. Mr. McAllister reviewed the architectural drawings and supplied three prospective renderings showing the property from the southeast corner of property adjacent to Golden Gables, from the center of the property on Route 16 looking down toward the property, and from the Pizza Hut side looking in.

Mr. Hartmann asked for Board comment; Mr. Fougere stated he does not see many trees. Mr. McAllister reviewed the tree count and stated to allow for snow storage areas and the appropriate spacing for trees and their growth we have asked for a waiver to reduce the number of trees. Mr. Fougere stated there just seems to be a lot of asphalt. Mr. McAllister stated they have provided the exact number of parking spaces required by the Town.

Mr. Porter asked how far will this development go beyond the railroad tracks. Mr. McAllister stated it does not go beyond the railroad tracks. Mr. Porter stated he is asking because he is taking into consideration the residents who live in Echo Acres who will be impacted by this construction, so henceforth, he will be looking at the tree calculation. Mr. McAllister stated this property does not go past the tracks; the parcel that goes beyond the tracks is not part of this development. Mr. McAllister stated the Junge's kept ownership of that parcel of land. Mr. Porter stated he is still going to lobby for that preservation for the people who live in the Echo Acres development.

Mr. Fougere asked what does the back side of the building look like. Mr. McAllister stated they do not have a rendering of the back of the building. Mr. Porter stated that will be needed. Mr. Porter asked why are we just putting pads down when they should have this laid out. Mr. McAllister stated the final choices on architectural information for those two pad sites have not been decided, so we are going to have to apply through the site plan review process for those two buildings when they do finalize the layout. Mr. McAllister stated they will also have to confirm through the review process that the uses are what was approved and that the parking is alright.

Mr. McAllister stated the owner understands the implications of having to come back to reconfirm and reopen the site plan review process when they do have updated architectural information.

Adopted: April 11, 2019 – As Written
CONWAY PLANNING BOARD – MARCH 14, 2019

Mr. Shakir asked is this privately owned or a corporate agglomerate. Mr. McAllister stated he does not know, but there are five LLC's who own the property. Mr. McAllister stated the packet indicates it is a Fairfield. Mr. Steiner asked what can we do about the architectural look of this building; it looks like it should be on Route 1 in Danvers. Mr. McAllister stated if he could provide comments to him, he could provide feedback; however, they do meet the general intent of the regulations.

Mr. Hartmann stated the front of the building looks kind of flat, and the roof line itself is unappealing, there is no break at all. Mr. Porter stated Golden Gables looks nice, similar to that, but modified would be ideal. Mr. Shakir stated there is a whole lot of asphalt in the front and not too much in the back, it pushes the building to the back of the property. Mr. Shakir stated if things could be moved to put parking in the back and move the dominate structure closer to the road which would look better than a whole bunch of cars in the front.

Mr. Colbath asked the location of the entrance to Willow Commons to the proposed driveways on this site. Mr. McAllister stated it is off-set, and is a concern with the NHDOT. Mr. Colbath asked about the entrances in relation to the Golden Gables entrance. Mr. McAllister stated that is a concern with the abutter, and he received an email from them indicating that they are not in favor of the connecting drive.

Mr. Fougere stated what he liked about Junge's was that it was divided up, and this is going to be an open, exposed building. Mr. Fougere suggested dividing the building into three separate units. Mr. Steiner asked how many parking spaces are required. Mr. McAllister answered 232 parking spaces are required and 232 parking spaces are being provided. Mr. McAllister stated on a lot like this you want to put the building to the rear of the lot to be able to see the other buildings. Mr. McAllister stated from a commercial layout standard the prominent building should be set to the back if there are other buildings so you can see those other buildings.

Mr. Shakir suggested turning the building 90 degrees, and putting it in the middle. Mr. McAllister stated they did consider that layout, but the challenge associated with that layout is the grade change. Mr. McAllister stated a building of this height could not be built on this site with the way building height is calculated in the Town of Conway. Mr. Steiner stated the architecture needs to change.

Mr. Hartmann asked for public comment; Shawn Bergeron of Bergeron Technical Services stated he is here this evening representing the owners of Golden Gables. Mr. Bergeron stated their southernmost curb cut is very close to the northernmost curb cut of Golden Gables; there is only 70-feet between the centerline of the two curb cuts. Mr. Bergeron stated there will likely be an issue there.

Mr. Bergeron stated this site currently has three curb cuts and one of the waiver requests is asking that they be allowed to keep two curb cuts where the regulations only allow one. Mr. Bergeron stated they support this waiver request.

**Adopted: April 11, 2019 – As Written
CONWAY PLANNING BOARD – MARCH 14, 2019**

Mr. Bergeron stated they are requesting a waiver for approximately 20% of the trees, which they don't necessarily oppose, but we would like to ask if the Board does grant that waiver that they take some of those waived trees and plant more densely along the common property line of Golden Gables for a buffer. Mr. Bergeron stated there is probably going to be a sizable propane tank on the site, but the location is not indicated on the plans, and they don't want to see it close to the Golden Gables building. Mr. Bergeron stated there is no reference to AC equipment or generator equipment on the plan either.

Mr. Bergeron stated that architectural improvements could be made. There was a brief discussion regarding building and structure height. Mr. Irving stated there is room to put in a pitched roof. Mr. McAllister stated he is not sure if there can be a pitched roof with a peak and maintain the third level of rooms, but he could bring it back to his client. Mr. Porter stated it would be highly recommended. Mr. Irving stated he is not entirely convinced that the Board is convinced that you have sufficiently managed the appearance of the building to make it appear like it is a pitched roof.

Mr. Bergeron stated the connecting drive to the Golden Gables site is not desired, and we would just prefer to see the connecting drive removed from the proposal. Jan Filip of Golden Gables stated if the Hampton Inn and the Marriot have 4-stories building and meet the height requirement you should be able to condense this building and have less asphalt. Mr. McAllister stated that the Hampton Inn is constructed close to grade, there is more wiggle room to work within the definition of building and structure heights there.

Mr. Steiner made a motion, seconded by Mr. Colbath, to continue the public hearing until April 25, 2019. Motion carried unanimously.

Mr. Shakir stated from an aesthetic point of view and for people who will make use of the building, it would be far more attractive to turn that building 90-degrees and make it wider and deeper. Mr. Shakir stated it would look better to have the three buildings in line. Mr. Porter stated greenspace and trees need to be addressed. Mr. Fougere stated there should be two driveway cuts for any development, but they should be located at the northern tip of the property and in the center of the property. Mr. McAllister stated when we meet with the NHDOT we may see needs like that. Mr. McAllister stated both driveways are two-way drives, but not sure where the access will land after talking with NHDOT.

Mr. Steiner asked what is the distance from the centerline of the railroad tracks to the back of the building. Mr. McAllister answered approximately 90-feet. Mr. Colbath stated if trees were planted along the adjacent property line to the south and along the railroad tracks the waiver for the number of trees would not really be necessary if you fill in those areas more.

Mr. Irving stated on the architectural elevations, the sign will need to be removed. Mr. McAllister agreed. Mr. Irving stated if the proposed bank/retail building ends up with an outdoor speaker system it would require a variance since the site is located within 300-feet of a residential property. Mr. McAllister stated that is understood.

Mr. Porter made a motion, seconded by Mr. Steiner, to continue the consideration of this application to April 25, 2019 with the provision that all new information be submitted on or before 4:00 pm on April 11, 2019. Motion carried unanimously.

OTHER BUSINESS

First Church of Christ, Congregational and Sugarland North Realty Trust (File #FR18-03 & #S18-07) – Request to extend conditional approval (PID 219-205, 206 & 207): Josh McAllister of HEB Engineers appeared before the Board. Mr. McAllister stated the applicant is in the midst of a capital campaign and it is not construction season. **Mr. Colbath made a motion, seconded by Mr. Steiner, to extend the conditional approval for First Church of Christ, Congregational and Sugarland North Realty Trust until September 12, 2019. Motion carried unanimously.**

DJA Properties, LLC (File #FR18-08) – Request to extend Conditional Approval (PID 277-223): Shawn Bergeron of Bergeron Technical Services appeared before the Board. Mr. Bergeron stated his company was unable to get the work done on time, and the tenant fell through and is now up in the air. **Mr. Porter made motion, seconded by Mr. Colbath, to extend the conditional approval for DJA Properties, LLC until March 12, 2020. Motion carried unanimously.**

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE SITE PLAN REVIEW REGULATIONS

§110-4.A.(4): The purpose of this amendment is to increase the square footage authority for an administrative finding of not-applicable. Mr. Hartmann opened the public hearing at 7:48 pm. Mr. Irving stated this would be increasing the authority to make an administrative decision of non-applicable from 200 square feet to 500 square feet and the reduction of greenspace from 400 square feet to 1,000 square feet with the provision that accumulative impacts shall not exceed 2,000 square feet in reduced greenspace and 1,000 square feet of increased floor area.

Mr. Hartmann asked for Board comment; there was none. Mr. Hartmann asked for public comment; there was none. Mr. Hartmann closed the public hearing at 7:49 pm.

Mr. Porter made a motion, seconded by Mr. Colbath, to amend the site plan review regulations regarding §110-4.A.(4) as proposed. Motion carried unanimously.

Mr. Steiner stated he would like to propose since the Board agreed on 500 square feet increasing it to 1,000 square feet. Mr. Irving stated he would like the Board to give further consideration to increasing that authority to 1,000 square feet. Mr. Irving stated the intent would help us completely eliminate the need for the minor site plan review. **Mr. Porter made a motion, seconded by Mr. Steiner, to hold a public hearing to increase the administrative authority to 1,000 square feet on April 11, 2019. Motion carried unanimously.**

**Adopted: April 11, 2019 – As Written
CONWAY PLANNING BOARD – MARCH 14, 2019**

§110-30.C.(1)(d): This is an amendment to allow roof top solar panels to be permitted so long as they are flush mounted at the same pitch as the underlying roof.

Mr. Hartmann opened the public hearing at 7:54 pm. Mr. Hartmann asked for public comment; there was none. Mr. Hartmann asked for Board comment; there was none. Mr. Hartmann closed the public hearing at 7:54 pm.

Mr. Colbath made a motion, seconded by Mr. Steiner, to amend the site plan review regulations regarding §110-30.C.(1)(d) as proposed. Motion carried unanimously.

**PUBLIC HEARING – PROPOSED AMENDMENTS TO THE SUBDIVISION REVIEW
REGUALTIONS**

130-66.C.(5): The purpose of this amendment is to revise the provision for dead-end streets to establish a 1,000-foot maximum length and delete the 35-dwelling unit restriction.

Mr. Hartmann opened the public hearing at 7:55 pm. Mr. Hartmann asked for Board comment; there was none. Mr. Hartmann asked for public comment; there was none. Mr. Hartmann closed the public hearing at 7:56 pm.

Mr. Porter made a motion, seconded by Mr. Fougere, to amend the subdivision review regulations regarding §130-66.C.(5) as proposed. Motion carried unanimously.

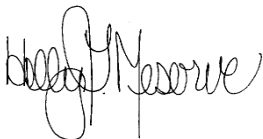
Mr. Irving stated he would like a clarification from the Board for the application of this standard, is the length of the dead-end street going to be measured from the first point where there is a single point of access. Mr. Irving stated if you have a dead-end street now and you add another dead-end street to it, you're going to measure from the first single point of access. The Board agreed.

Mr. Porter made a motion, seconded by Mr. Fougere, that the measurement of dead-end streets shall commence at the single point of access. Motion carried unanimously.

OTHER BUSINESS CONTINUED

March 28, 2019 Planning Board meeting: Mr. Hartmann made a motion, seconded by Mr. Colbath, to cancel the March 28, 2019 Planning Board meeting. Motion carried unanimously.

Meeting adjourned at 8:06 pm.
Respectfully submitted,



Holly L. Meserve, Planning Assistant

§ 110-4 A.

- (4) Small undertakings where it is demonstrated that:
- (a) All proposed changes to the structure and/or site conform to all other applicable codes and reasonably conform to the site design standards of this chapter;
 - (b) Proposed changes do not increase the intensity of use on the site beyond the service capacity of existing on-site infrastructure (including but not limited to parking, traffic generation and septic loading);
 - (c) Any net reduction in greenspace on the lot is less than or equal to ~~400~~ 1,000 square feet;
 - (d) Any increase in structure floor space is less than or equal to ~~200~~ 500 square feet; and
 - (e) In order to ensure that cumulative impacts can be evaluated by the Planning Board in a public forum, this Subsection A(4) shall not be applied if its application, combined with prior applications since the latest review by the Planning Board, would result in a cumulative decrease of greenspace greater than ~~800~~ 2,000 square feet or in a cumulative increase in structure floor space greater than ~~400~~ 1,000 square feet.

§110-30.C.(1)(d) Roof top solar panels are permitted so long as they are flush mounted at the same pitch as the underlying roof.

§130-66 C. (5) ~~Dead-end length and units, maximum. A dead-end street shall not exceed 1,000 feet in length not serve more than 35 dwelling units.~~