

**CONWAY PLANNING BOARD**

**MINUTES**

**OCTOBER 24, 2019**

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CONWAY PLANNING BOARD

MINUTES

OCTOBER 24, 2019

A meeting of the Conway Planning Board was held on Thursday, October 24, 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; Steven Steiner; Raymond Shakir; Bill Barbin; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

**REVIEW AND ACCEPTANCE OF MINUTES**

**Mr. Steiner made a motion, seconded by Mr. Shakir, to approve the Minutes of September 26, 2019 as written. Motion carried unanimously.**

**WHITE MOUNTAIN HOTEL AND RESORT, INC. – NHRSA 674:53, IV**

Christopher Meier of Cooper Cargill Chant appeared before the Board. Jason Ploude of VHB; and Gary and Trevor Sullivan of the White Mountain Hotel and Resort were in attendance. This is a request for Planning Board approval per NHRSA 674:53, IV to approve access to proposed White Mountain Hotel expansions via West Side Road at 87 Fairway Drive, Hale's Location.

Mr. Irving stated they are proposing improvements to a property outside of our jurisdiction, but the sole access is through our jurisdiction. Mr. Irving stated they need Planning Board approval only to the adequacy to the infrastructure that serves it; they have submitted a traffic study and our Town Engineer does not warrant any improvements. Mr. Meier stated the concern for the Planning Board is the adequacy of the street access off West Side Road so they submitted a traffic study.

Mr. Hartmann asked for Board comment; Mr. Shakir had concern with their signage being too small as it is hard for people to find the hotel. Mr. Sullivan agreed, however, that area is zoned for a 12 square foot sign and that is what they have. Mr. Porter stated that signs are not under the Planning Board's jurisdiction.

Mr. Porter asked if the abutters were notified. Mr. Meier stated Hale's Location has a different process, and it went through and has been passed by the Hale's Location Homeowner's Association. Mr. Steiner asked about the traffic counts. Mr. Plourde reviewed the traffic study.

Mr. Hartmann asked for public comment; there was none. **Mr. Porter made a motion, seconded by Mr. Steiner, to grant approval pursuant to RSA 674:53, IV for the proposed project to expand the White Mountain Hotel property. Motion carried unanimously.**

**RANDY GAUDETTE/MARY GAUDETTE/KIMBERLY GAUDETTE (FILE #S19-07) – TWO-LOT SUBDIVISION REVIEW (PID 201-23)**

Wes Smith of Thorne Surveys appeared before the Board. This is a request to subdivide 44± acres into two lots at 3557 West Side Road, North Conway (PID 201-23). Mr. Smith gave an overview of the project. **Mr. Porter made a motion, seconded by Mr. Steiner, to accept the application of Randy Gaudette/Mary Gaudette/Kimberly Gaudette for a subdivision review as complete. Motion carried unanimously.**

**Adopted: November 7, 2019 – As Written  
CONWAY PLANNING BOARD – OCTOBER 24, 2019**

Mr. Hartmann asked for Board comment; Mr. Hartmann asked why are they subdividing. Mr. Smith stated for a possible conservation easement. Mr. Hartmann asked for public comment; there was none.

Mr. Smith read waiver requests for §130-36.A. and §130-66.C.8.(h). **Mr. Steiner made a motion, seconded by Mr. Barbin, to approve the waiver request for §130-36.A. and §130-66.C.8.(h).** Mr. Hartmann asked for Board comment; there was none. **Motion carried unanimously.**

**Mr. Barbin made a motion, seconded by Mr. Steiner, to conditionally approve the two-lot subdivision for Randy Gaudette/Mary Gaudette/Kimberly Gaudette conditionally upon a NHDOT Driveway Permit and indicating permit number on plan; submitting four copies of revised plans with original stamps and signatures; submitting a Mylar for recording; submitting a check for \$25 made payable to the Carroll County Registry of Deeds for the L-CHIP fee; submitting \$200 for inspection fees; submitting a performance guarantee for all on-site improvements; submitting a performance guarantee for all off-site improvements; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on January 23, 2020. Motion carried unanimously.**

**OTHER BUSINESS**

**Solar Collection Systems discussion:** Mr. Irving reviewed the attached permitted use table.

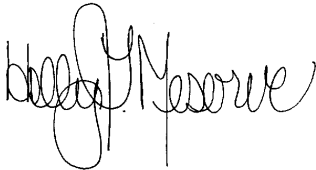
**Affordable Housing Ordinance discussion:** Mr. Irving stated he has been working with the Mount Washington Housing Coalition with hopes that it will be a Planning Board warrant article; they are making great progress.

**CMR Properties, LLC (PID 214-84.2) – Request for Concurrent Site Plan and Subdivision Review:** Mr. Porter made a motion, seconded by Mr. Steiner, to allow CMR Properties, LLC to submit a concurrent site plan and subdivision application. **Motion carried unanimously.**

**Proposed Zoning Amendments:** Mr. Irving reviewed the attached zoning amendments he would like the Board to consider.

Meeting adjourned at 7:31 pm.

Respectfully submitted,



Holly L. Meserve  
Planning Assistant

RA = Residential/Agricultural District  
 CCVR = Center Conway Village Residential District  
 CVR = Conway Village Commercial District  
 NCVC = North Conway Village Commercial District  
 CCVC = Center Conway Village Commercial District

HC = Highway Commercial District  
 RC = Regional Commercial District  
 I1 = Industrial 1 District  
 I2 = Industrial 2 District  
 RR = Recreational Resort District

MC = Mountain Conservation Overlay District  
 FC = Floodplain Conservation Overlay District  
 SP = Shoreline Protection Overlay District  
 WWP = Wetland and Watershed Overlay District  
 GWP = Groundwater Protection Overlay District  
 SHC = Special Highway Corridor Overlay District

P = Permitted Use  
 r = Restrictions Apply  
 u = If permitted in underlying district  
 N = Not Permitted  
 S = Special Exception Required

Table Of Regulated Uses	District																
	Residential						Commercial						Overlay District				
	RA	CCVR	CVR	NCVR	CCVC	CVC	NCVC	HC	RC	I1	I2	RR	MC	FC	SP	WWP	GWP
Signs	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Snow Dumps	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Solar																	
Residential Solar	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Solar	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Agriculture Solar	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Primary Agriculture Solar	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Commercial Solar	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Large Commercial Solar	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Industrial Solar	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Utility Solar	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Solar Power Generation Station	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Solid Waste Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Bulk Storage Tanks - Hazardous Materials	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Temporary Events	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Timber Removal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Tourist Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Tourist Home, Owner Occupied	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Systems	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Visual/Performing Arts, Indoors	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Visual/Performing Arts, Outdoors	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Water Storage/Impoundment	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr
Wetland/Stream Crossing	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr
Wholesale/Light Industry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Wildlife Refuge	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Communication Towers < 55 Ft.	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Wireless Communication Towers > 55 Ft.	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Yard Sales	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr
Insecticides	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Chemical Fertilizer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Undersized lots, Buildable	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Protective Rip Rap	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Table Of Regulated Uses	District																
	Residential						Commercial						Overlay District				
	RA	CCVR	CVR	NCVR	CCVC	CVC	NCVC	HC	RC	I1	I2	RR	MC	FC	SP	WWP	GWP
Home Occupation																	
Antique Shop	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pur	Pur/S	N
Artists/Musicians Studio	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pur	Pur/S	N
Beautician/Barber	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pur	Pur/S	N
Custom Clothing/Linens	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pur	Pur/S	N
Day Care (6 or Fewer People)	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pur	Pur/S	N
Home Office	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pur	Pur/S	N
Tradesmen/Craftsman Workroom	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pr	Pur	Pur/S	N
Hospitals	P	P	N	N	P	P	P	P	P	P	P	P	P	P	Pur	Pur/S	N
Hotels	N	N	N	N	P	P	P	P	P	P	N	N	N	N	Pur	Pur/S	N
Kennels	S	S	N	N	P	P	P	P	P	P	P	S	N	N	Pur	Pur/S	N
Lodging House	N	N	N	N	P	P	P	P	P	P	N	N	N	N	Pur	Pur/S	N
Lodging House, Owner Occupied	P	P	P	P	P	P	P	P	P	P	N	N	N	N	Pur	Pur/S	N
Motels	N	N	N	N	P	P	P	P	P	P	N	N	N	N	Pur	Pur/S	N
Municipal Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Pur	Pur/S	Pu
Municipal Facilities	S	S	N	N	P	P	P	P	P	P	N	N	N	N	Pur	Pur/S	Pu
Nursing homes	N	N	N	N	P	P	P	P	P	P	N	N	N	N	Pur	Pur/S	N
Offices	N	N	N	N	P	P	P	P	P	P	P	N	N	N	Pur	Pur/S	N
Parking Lot	S	S	S	S	P	P	P	P	P	P	P	P	P	P	Pur	Pur/S	N
Post Office	S	S	S	S	P	P	P	P	P	P	P	P	P	P	Pur	Pur/S	N
Private Educational Facilities	S	S	S	S	P	P	P	P	P	P	P	P	P	P	Pur	Pur/S	N

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 SHC = Special Highway Corridor Overlay District  
 P = Permitted Use  
 r = Restrictions Apply  
 u = Permitted if permitted in underlying district  
 N = Not Permitted  
 S = Special Exception Required

§190-14 B. Lot size and density.

(4) Special exceptions.

(a) In order to preserve and safeguard Conway's older homes, but also allow for their conversion to multifamily dwellings, the Zoning Board of Adjustment may grant special exceptions for residential structures and accessory structures on the same ~~conforming~~ lot, provided that:

- [1] Substantially all of the structure was constructed prior to 1930.
- [2] ~~Modification of the interior does not exceed four units~~ The total number of dwelling units on the site does not exceed four (4).
- [3] No less than 5,000 square feet of land area must be provided on the parcel for each unit that exists or is to be constructed thereon.
- [4] ~~[3]~~ No significant changes to the exterior lines or architectural detail are made which would diminish the historical or architectural heritage of the structure.
- [5] ~~[4]~~ Adequate area is available for parking ~~and sewage disposal~~ outside the setback and buffer areas.
- [6] ~~[5]~~ Accessory structures must have at least 300 square feet of ~~living~~ occupiable space per unit suitable for conversion to a dwelling unit ~~and not conflict with the purpose and intent of this section.~~
- [7] All of the dwelling units shall be used for long-term residency; short-term transient occupancies of less than 30 consecutive days of any dwelling unit is prohibited.
- [8] Scaled floor plans and a scaled site drawing must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the requirements for this special exception.

§190-15 B. Lot size and density.

(4) Special exceptions.

(a) In order to preserve and safeguard Conway's older homes, but also allow for their conversion to multifamily dwellings, the Zoning Board of Adjustment may grant special exceptions for residential structures and accessory structures on the same ~~conforming~~ lot, provided that:

- [1] Substantially all of the structure was constructed prior to 1930.
- [2] ~~Modification of the interior does not exceed four units~~ The total number of dwelling units on the site does not exceed four (4).
- [3] No less than 5,000 square feet of land area must be provided on the parcel for each unit that exists or is to be constructed thereon.
- [4] ~~[3]~~ No significant changes to the exterior lines or architectural detail are made which would diminish the historical or architectural heritage of the structure.
- [5] ~~[4]~~ Adequate area is available for parking and sewage disposal outside the setback and buffer areas.
- [6] ~~[5]~~ Accessory structures must have at least 300 square feet of living occupiable space per unit suitable for conversion to a dwelling unit and not conflict with the purpose and intent of this section.
- [7] All of the dwelling units shall be used for long-term residency; short-term transient occupancies of less than 30 consecutive days of any dwelling unit is prohibited..
- [8] Scaled floor plans and a scaled site drawing must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the requirements for this special exception.

§190-16 B. Lot size and density.

(4) Special exceptions.

(a) In order to preserve and safeguard Conway's older homes, but also allow for their conversion to multifamily dwellings, the Zoning Board of Adjustment may grant special exceptions for residential structures and accessory structures on the same ~~conforming~~ lot, provided that:

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- [2] ~~Modification of the interior does not exceed four units~~ The total number of dwelling units on the site does not exceed four (4).
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- [4] ~~[3]~~ No significant changes to the exterior lines or architectural detail are made which would diminish the historical or architectural heritage of the structure.
- [5] ~~[4]~~ Adequate area is available for parking ~~and sewage disposal~~ outside the setback and buffer areas.
- [6] ~~[5]~~ Accessory structures must have at least 300 square feet of living occupiable space per unit suitable for conversion to a dwelling unit ~~and not conflict with the purpose and intent of this section.~~
- [7] All of the dwelling units shall be used for long-term residency; short-term transient occupancies of less than 30 consecutive days of any dwelling unit is prohibited.
- [8] Scaled floor plans and a scaled site drawing must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the requirements for this special exception.



Center Conway Village Commercial District

§190-17 B. Lot size and density.

(5) Special exceptions.

(a) In order to preserve and safeguard Conway's older homes, but also allow for their conversion to multifamily dwellings, the Zoning Board of Adjustment may grant special exceptions for residential structures and accessory structures on the same lot, provided that:

[1] Substantially all of the structure was constructed prior to 1930.

[2] ~~Modification of the interior does not exceed four units~~ The total number of dwelling units on the site does not exceed four (4).

[3] No less than 5,000 square feet of land area must be provided on the parcel for each unit that exists or is to be constructed thereon.

[4] No significant changes to the exterior lines of the building or exterior architectural detail are made which would diminish the historical appearance of the structure.

[5] Adequate area is available for parking outside the setback and buffer areas.

~~[6] A compliant State of New Hampshire and Town of Conway approved in-ground sewerage disposal system already exists or will be constructed as a condition of this approval; or the property is connected to municipal sewerage.~~

~~[7] Architectural design plans and a to-scale site sketch must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with Subsection B(5)(a)[1] through [6] within this section.~~

~~[6]~~[8] Accessory structures must have at least 300 square feet of living space per unit suitable for conversion to a dwelling unit and not conflict with the purpose and intent of this section.

~~[7]~~ All of the dwelling units shall be used for long-term residency; short-term transient occupancies of less than 30 consecutive days of any dwelling unit is prohibited.

~~[8]~~ Scaled floor plans and a scaled site drawing must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the requirements for this special exception.

Conway Village Commercial District

§190-18 B. Lot size and density.

(5) Special exceptions.

(a) In order to preserve and safeguard Conway's older homes, but also allow for their conversion to multifamily dwellings, the Zoning Board of Adjustment may grant special exceptions for residential structures and accessory structures on the same lot, provided that:

[1] Substantially all of the structure was constructed prior to 1930.

[2] ~~Modification of the interior does not exceed four units~~ The total number of dwelling units on the site does not exceed four (4).

[3] No less than 5,000 square feet of land area must be provided on the parcel for each unit that exists or is to be constructed thereon.

[4] No significant changes to the exterior lines of the building or exterior architectural detail are made which would diminish the historical appearance of the structure.

[5] Adequate area is available for parking outside the setback and buffer areas.

[6] ~~A compliant State of New Hampshire and Town of Conway approved in-ground sewerage disposal system already exists or will be constructed as a condition of this approval; or the property is connected to municipal sewerage.~~

[7] ~~Architectural design plans and a to-scale site sketch must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with Subsection B(5)(a)[1] through [6] within this section.~~

[6][8] Accessory structures must have at least 300 square feet of living space per unit suitable for conversion to a dwelling unit and not conflict with the purpose and intent of this section.

[7] All of the dwelling units shall be used for long-term residency; short-term transient occupancies of less than 30 consecutive days of any dwelling unit is prohibited.

[8] Scaled floor plans and a scaled site drawing must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the requirements for this special exception.

Highway Commercial

§190-20 B. Lot size and density.

(5) Special exceptions.

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- [1] Substantially all of the structure was constructed prior to 1930.
- [2] ~~Modification of the interior does not exceed four units~~ The total number of dwelling units on the site does not exceed four (4).
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- [5] ~~[4] Adequate area is available for parking and sewage disposal~~ outside the setback and buffer areas.
- [6] ~~[5] Accessory structures must have at least 300 square feet of living space per unit suitable for conversion to a dwelling unit and not conflict with the purpose and intent of this section.~~
- [7] All of the dwelling units shall be used for long-term residency; short-term transient occupancies of less than 30 consecutive days of any dwelling unit is prohibited.
- [8] Scaled floor plans and a scaled site drawing must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the requirements for this special exception.

## North Conway Village Commercial

§190-19 B. Lot size and density.

(5) Special exceptions.

(a) In order to preserve and safeguard Conway's older homes, but also allow for their conversion to multifamily dwellings, the Zoning Board of Adjustment may grant special exceptions for residential structures and accessory structures on the same lot, provided that:

- [1] Substantially all of the structure was constructed prior to 1930.
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- [5] ~~[4] Adequate area is available for parking and sewage disposal~~ outside the setback and buffer areas.
- [6] ~~[5] Accessory structures must have at least 300 square feet of living space per unit suitable for conversion to a dwelling unit and not conflict with the purpose and intent of this section.~~
- [7] All of the dwelling units shall be used for long-term residency; short-term transient occupancies of less than 30 consecutive days of any dwelling unit is prohibited.
- [8] Scaled floor plans and a scaled site drawing must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with the requirements for this special exception.

The following amendment applies to Sections:

§190-17 F.(7)(f) CCVC

§190-18 F.(7)(f) CVC

§190-19 F.(8)(f) NCVC

§190-20 F.(7)(f) HC

§190-22 F.(7)(f) I1

§190-23 F.(7)(f) I2

Non-illuminated sign advertising the sale or lease of the premises upon which the sign is located, with a message area of 16 square feet or less in all districts.