

CONWAY PLANNING BOARD

MINUTES

NOVEMBER 4, 2021

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CONWAY PLANNING BOARD

MINUTES

NOVEMBER 4, 2021

A meeting of the Conway Planning Board was held on Thursday, November 4, 2021 beginning at 7:00 pm at the Conway Town Office, Conway, NH. Those present were: Acting Chair, Ailie Byers; Selectmen's Representative, Steven Porter; Secretary, Sarah Frechette; Eliza Grant; Erik Corbett; Planning Director, Jamel Torres; and Planning Assistant, Holly Whitelaw. Alternates Ted Phillips, Steven Hartmann and Steven Steiner were in attendance.

REVIEW AND ACCEPTANCE OF MINUTES

The minutes of October 28, 2021 will be addressed at the December 9, 2021 Planning Board meeting.

LAWRENCE AND KATHERINE PLOTczyk/GERALD AND ERICA DEVEER (FILE #S21-18) – BOUNDARY LINE ADJUSTMENT REVIEW (PID 266-20, 21 & 22)

Wes Smith of Horizon Engineering appeared before the Board. This is an application to convey 0.61 of an acre from PID 266-21 (Plotczyk) to PID 266-20 (Deveer); to convey 0.61 of an acre from PID 266-21 (Plotczyk) to PID 266-22 (Plotczyk); and eliminate PID 266-21. **Mr. Porter made a motion, seconded by Ms. Frechette, to accept the application of Lawrence and Katherine Plotczyk/Gerald and Erica Deveer for a boundary line adjustment review as complete. Motion carried unanimously.**

Mr. Smith reviewed the application. Ms. Byers asked for Board comment; there was none. Ms. Byers asked for public comment; Steven Steiner stated he was the listing agent, and this is a clean deal and there are no bad things happening here.

Mr. Smith read a waiver request for §130-36.A. **Mr. Porter made a motion, seconded by Ms. Grant, to grant the waiver for §110-36.A.** Ms. Byers asked for Board comment; there was none. **Motion carried unanimously.**

Mr. Porter made a motion, seconded by Mr. Corbett, to conditionally approve the boundary line adjustment for Lawrence and Katherine Plotczyk/Gerald and Erica Deveer conditionally upon Conway Village Fire Chief approval; Conway Police Chief approval; submitting four copies of revised plans with original stamps and signatures (if necessary); submitting a Mylar for recording; submitting a check for \$25 made payable to Carroll County Registry of Deeds for the LCHIP fee; a performance guarantee for all on-site improvement (if necessary); a performance guarantee for all off-site improvements (if necessary); when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on February 10, 2022. Motion carried unanimously.

OTHER BUSINESS

Proposed Zoning Amendments Discussion: The Board reviewed proposed changes to building and structure heights (attached).

The Board agreed to remove §190-22; §190-23; and §190-24 from consideration. The Board agreed to propose changes to the heights in §190-17; §190-18; and §190-19. The Board agreed to not propose changes to the heights in §190-20, but to add the wording “For properties located in the North Conway area north of North Conway Village, structure height shall not exceed 40 feet” to §190-20.E.(1), and to add the wording “For properties located in the North Conway area north of North Conway Village, building height shall not exceed 30 feet” to §190-20.E.(2).

This will be discussed again at the December 9th Planning Board meeting.

Mini Grant update: Ms. Byers gave an update on the Mini Grant status. Ms. Byers stated NH Housing has reviewed the application, and it should go in front of their board next week. Ms. Byers stated this is a grant to work on a cluster housing ordinance.

Meeting adjourned at 8:29 pm.

Respectfully Submitted,

Holly L. Whitelaw
Planning Assistant

Planning Board
Proposed Zoning Ordinance Changes, 2022 Ballot

190-13 Residential/Agriculture (RA) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40 55~~-feet for any structure.
2. Building height shall not exceed ~~30 45~~-feet.

190-14 Center Conway Village Residential (CCVR) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40 55~~-feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30 45~~-feet.

190-15 Conway Village Residential (CVR) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in

the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40 55~~-feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30 45~~-feet.

190-16 North Conway Village Residential (NCVR) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40 55~~-feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30 45~~-feet.

190-17 Center Conway Village Commercial (CCVC) District

F. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40 55~~-feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30 45~~-feet.

190-18 Conway Village Commercial (CVC) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40 55~~-feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30 45~~-feet.

190-19 North Conway Village Commercial (NCVC) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. Also, care must be taken to preserve the views to the west from the village. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40 55~~-feet for any structure. For properties west of Route 16, structure height shall not exceed 30 feet. These restrictions shall not apply to wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30 45~~-feet.. For properties west of Route 16, building height shall not exceed 25 feet.

190-20 Highway Commercial (HC) District

D. Setbacks. The minimum front setback shall be 25 feet from a platted right-of-way, or 100 feet from the platted right-of-way of the North-South Road between the extension of the center line

of Barnes Road and the center line of Depot Road and the minimum side or back setback shall be 20 ~~40~~-feet.

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~45~~ ~~55~~ feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code. *For properties located North of North Conway Village, structure height shall not exceed 40 feet.*
2. Building height shall not exceed ~~35~~ ~~45~~ feet. *For properties located North of North Conway Village, building height shall not exceed 30 feet.*

190-22 Industrial-1 (I1) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed ~~40~~ ~~55~~-feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30~~ ~~45~~-feet.

190-23 Industrial-2 (I2) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level,

which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

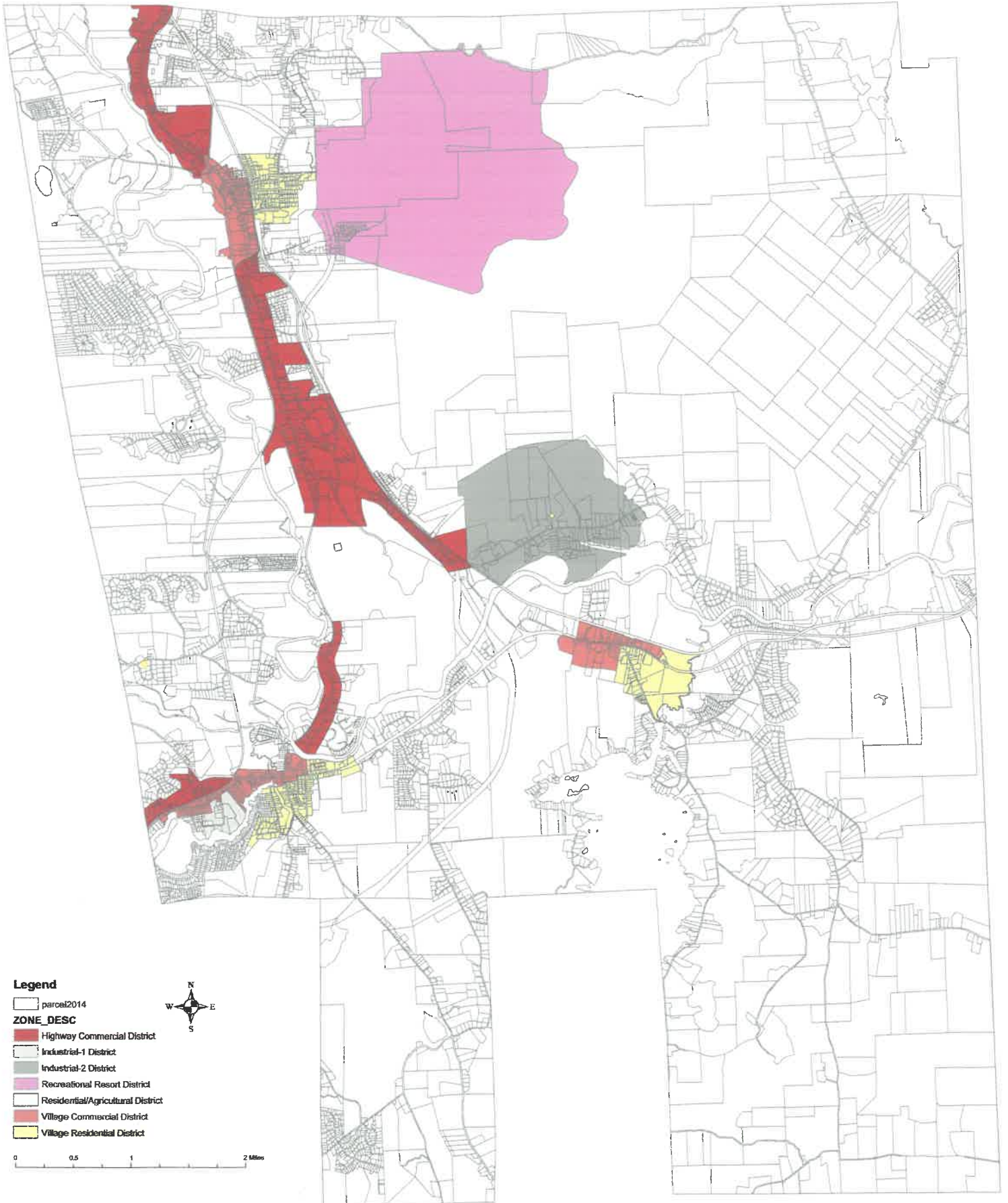
1. Structure height shall not exceed ~~40~~ ~~55~~-feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed ~~30~~ ~~45~~-feet.

190-24 Recreational Resort (RR) District

E. Structure and building height. Structure height is restricted to achieve several purposes. The Town is economically dependent upon tourism and attracts visitors with its rural character and mountainous setting. Maintaining the traditional scale and style of structures aids in preserving the character of the Town. Peaked roofs are encouraged because it is the traditional roof style in the Town. (Care has been taken to prepare language which does not unduly encourage the use of flat-roof buildings.) The height restriction keeps structures and buildings below treetop level, which is typically from 60 feet to 100 feet for mature maple, beech, birch and pine trees. Structure height below treetop level helps maintain the rural atmosphere and preserve the viewsheds throughout the Town. In addition, the height limit minimizes difficulty in providing fire protection. The following shall apply throughout the Town:

1. Structure height shall not exceed 55 feet for any structure, except wind energy systems permitted in accordance with Chapter 179 of the Conway Code.
2. Building height shall not exceed 45 feet.
3. Wireless communication facilities may be allowed to exceed 55 feet in height by special exception on application to the Zoning Board of Adjustment as approved after a hearing with appropriate conditions imposed thereon, provided that the height is necessary to fulfill its function.
4. Church steeples may be allowed to exceed 55 feet in height by special exception on application to the Zoning Board of Adjustment as approved after a hearing with appropriate conditions imposed thereon, provided that:
 - a. The space enclosed in the steeple is not usable floor space other than for the maintenance and structural purposes of the steeple.
 - b. The height of the steeple is appropriate to the design and size of the church.

Zoning Districts



Legend

parcel2014

ZONE_DESC

Highway Commercial District

Industrial-1 District

Industrial-2 District

Recreational Resort District

Residential/Agricultural District

Village Commercial District

Village Residential District

0 0.5 1 2 Miles

Town Height Comparables

Town	Highest height allowed in any district unless noted
Littleton, NH	35 feet except one district allows 45 feet, however hotels/motels require a special exception in this district
Franconia, NH	35 feet
Waterville Valley, NH	35 feet
Lincoln, NH	35 feet
Stratton, VT	35 feet
Stowe, VT	35 feet
Bethel, ME	35 feet, 2.5 stories
Carrabassett Valley, ME	45 feet