

**CONWAY PLANNING BOARD**

**MINUTES**

**OCTOBER 14, 2021**

**PAGES**

- |   |  |
|---|--|
| 1 | Appointment of Alternate Member  |
| 1 | Review and Acceptance of Minutes <ul style="list-style-type: none"><li>• September 23, 2021 – Adopted as Amended</li></ul>   |
| 1 | Redstone Group, LLC (File #FR21-13) – Full Site Plan Review (PID 262-86.24) <ul style="list-style-type: none"><li>• Conditionally Approved</li></ul>   |
| 2 | Nathaniel and Marianne Lucy (File #S21-17) – 2-Lot Subdivision Review (PID 201-22) <ul style="list-style-type: none"><li>• Conditionally Approved</li></ul>  |
| 2 | Agenda out-of-order  |
| 2 | Other Business <ul style="list-style-type: none"><li>• DJA Properties, LLC (File #NA21-03)</li></ul>   |
| 2 | First Reading of Planning Board Bylaws Amendment regarding alternate members   |
| 3 | Other Business Continued <ul style="list-style-type: none"><li>• 2022 Planning Board Dates and Submittal Deadlines</li><li>• NH Housing Mini Grant discussion</li><li>• Conditional Use Permit for Compact Cluster Housing Developments discussion</li></ul> |

CONWAY PLANNING BOARD

MINUTES

OCTOBER 14, 2021

A meeting of the Conway Planning Board was held on Thursday, October 14, 2021 beginning at 7:00 pm at the Conway Town Office, Conway, NH. Those present were: Chair, Benjamin Colbath; Selectmen’s Representative, Steven Porter; Secretary, Sarah Frechette; Eliza Grant; Erik Corbett; Planning Consultant, Will Haskell of Gorrill-Palmer; and Planning Assistant, Holly Whitelaw. Alternates Ted Phillips and Steven Steiner were in attendance.

**APPOINTEMENT OF ALTERNATE MEMBER**

Mr. Colbath appointed Mr. Phillips as a voting member.

**REVIEW AND ACCEPTANCE OF MINUTES**

The minutes of September 23, 2021 should be amended as follows: page 4, fifth paragraph under Viewpoint North Conway, LLC, line 2 should read “...eliminate the fact that the parking lot ~~hotel~~ is 10-feet...”. **Ms. Grant made a motion, seconded by Ms. Frechette, to approve the Minutes of September 23, 2021 as amended. Motion carried unanimously.**

**REDSTONE GROUP, LLC (FILE #FR21-13) – FULL SITE PLAN REVIEW (PID 262-86.24)**

Josh McAllister of HEB Engineers appeared before the Board. This is an application to construct a 7,774 square foot office building with associated infrastructure. **Mr. Porter made a motion, seconded by Mr. Colbath, to accept the application of Redstone Group, LLC for a full site plan review as complete. Motion carried unanimously.**

Mr. McAllister reviewed the application. Mr. McAllister stated this project was granted a special exception as part of the business development park. Mr. McAllister stated NHDOT has indicated that an updated driveway permit is not necessary. Mr. Colbath asked for Board comment; Mr. Corbett asked if it is just office space. Mr. McAllister answered in the affirmative. Mr. Colbath asked for public comment; there was none.

Mr. McAllister read a waiver request for §110-29.D.8. **Mr. Porter made a motion, seconded by Ms. Frechette, to grant the waiver for §110-29.D.8.** Mr. Colbath asked for Board comment; there was none. **Motion carried unanimously.**

**Mr. Colbath made a motion, seconded by Ms. Grant, to conditionally approve the full site plan for Redstone Group, LLC conditionally upon NHDES Alteration of Terrain permit and indicating permit number on plan; NHDOT Driveway permit and indicating permit number on plan or written acknowledgement from NHDOT that a driveway permit is not required; submitting four copies of revised plans with original stamps and signatures; a performance guarantee for all site improvement; 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 January 27, 2022. Motion carried unanimously.**

Adopted: October 28, 2021 – As Written  
CONWAY PLANNING BOARD – OCTOBER 14, 2021

**NATHANIEL AND MARIANNE LUCY (FILE #S21-17) – 2-LOT SUBDIVISION (PID 201-22)**

Andy Fisher of Ammonoosuc Survey Company appeared before the Board. This is an application to subdivide 41.26 acres into two-lots. Mr. Fisher reviewed the application. **Mr. Porter made a motion, seconded by Ms. Frechette, to accept the application of Nathaniel and Marianne Lucy for a subdivision review as complete. Motion carried unanimously.**

Mr. Colbath asked for Board comment; there was none. Mr. Colbath asked for public comment; there was none. There were no waiver requests.

**Mr. Colbath made a motion, seconded by Ms. Grant, to conditionally approve the 2-lot subdivision for Nathaniel and Marianne Lucy conditionally upon NHDOT Driveway Permit and indicating permit number on plan; four copies of revised plans with original stamps and signatures; a Mylar for recording; submitting a \$25 check made payable to the Carroll County Registry of Deeds for the LCHIP fee; a performance guarantee for all on-site improvements (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 expires on January 27, 2022. Motion carried unanimously.**

**AGENDA OUT-OF-ORDER**

**Mr. Colbath made a motion, seconded by Ms. Grant, to take the agenda out-of-order and hear the DJA Properties, LLC request next. Motion carried unanimously.**

**OTHER BUSINESS**

**DJA Properties, LLC (File #NA21-03):** Donald Whitelaw appeared before the Board. This is a request to allow the construction of a 20' x 60' roof extension (open below) at 624 Main Street, Conway. Mr. Whitelaw reviewed the proposed project with the Board.

Mr. Colbath asked for Board comment; Mr. Colbath asked if it will affect the retaining wall or the drainage. Mr. Whitelaw stated in the very back corner one of the two-foot sonotube will end up into the riprap so the drainage will have to be modified to go around the sonotube. Mr. Colbath asked for public comment; there was none.

**Ms. Frechette made a motion, seconded by Mr. Porter, that the Planning Board determined that based on the provisions of §110-4. A.(5), regarding applicability, that the construction of a 20' x 60' roof extension (open below) is not subject to a Full Site Plan Review because it has been demonstrated that the change of use and/or physical changes to the site are insignificant relative to the existing development. Motion carried unanimously.**

**FIRST READING OF PLANNING BOARD BYLAWS AMENDMENT REGARDING ALTERNATE MEMBERS**

Mr. Colbath read the proposed amendment (attached).

**Adopted: October 28, 2021 – As Written**  
**CONWAY PLANNING BOARD – OCTOBER 14, 2021**

It was discussed that an alternate member might sit on an application one evening, but if it is continued might not be able to participate if all members are present for the continued hearing. This is a way to allow that Board member to still participate with the application, but not vote. There was concern that the Board would have to invite all alternates to sit who were in attendance; it was agreed for an alternate to sit they would have to be invited to sit, and the Board would not have to invite all alternates that were in attendance to sit at the table.

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

**Ms. Frechette made a motion, seconded by Ms. Grant, to amend Article III of the Conway Planning Board Bylaws as read. Motion carried unanimously.** The second reading of the amendment will be at the October 24, 2021 Planning Board meeting.

**OTHER BUSINESS CONTINUED**

**2022 Planning Board Dates and Submittal Deadlines: Mr. Porter made a motion, seconded by Ms. Grant , to accept the 2022 Planning Board Dates and Submittal Deadlines. Motion carried unanimously.**

**NH Housing Mini Grant discussion:** Harrison Kanzler of the Mount Washington Valley Housing Coalition was in attendance. The Board discussed the possibility of applying for a NH Housing mini grant. Mr. Porter indicated that he would speak with the Town Manager on how to proceed.

**Conditional Use Permit for Compact Cluster Housing Developments discussion:** Harrison Kanzler of the Mount Washington Valley Housing Coalition was in attendance. The Board had a brief discussion regarding conditional use permits for compact cluster housing developments (see attached). The Board agreed to change the floor area to be no less than 600 square feet and not greater than 1,200 square feet. Ms. Whitelaw agreed to discuss this with the new Planning Director to determine how to proceed.

Meeting adjourned at 8:10 pm.

Respectfully Submitted,

Holly L. Whitelaw  
Planning Assistant

TOWN OF CONWAY, NH  
PLANNING BOARD BY LAWS

**ARTICLE I**      **NAME:** The name shall be "Town of Conway, New Hampshire Planning Board" as adopted at the Town Meeting on March 10, 1970. Hereafter, the term "Board" shall be used to simplify the text.

**ARTICLE II**      **PURPOSE:** The purpose of the Board is to plan for the orderly short- and long-term development of the Town, and to adopt and administer such regulations that fall within its jurisdiction.

**ARTICLE III**      **MEMBERSHIP:** The Board shall consist of seven members. Six members shall be elected, and one ex-officio member shall be appointed by the Board of Selectmen. All seven members have the power to vote. The Board may also appoint up to three alternates to serve in the absence of regular members. Alternates shall be appointed for one (1) year terms. Alternates are expected to regularly attend meetings so that, if they are called upon to sit in place of absent members, they are familiar with the applications and agenda items being considered by the Board. ~~Alternates may ask questions during public hearings however they are not permitted to otherwise participate in discussions, deliberations, motions, seconds or votes unless they are appointed to replace an absent Board Member.~~ *Although alternates cannot vote, make motions, or second a motion unless they are appointed to replace an absent Board Member, alternates are allowed to sit at the table and participate in discussions and deliberations as a nonvoting member if invited to do so by the board. All alternates will still be permitted to speak in public comment even if not invited to sit at the table and discuss and deliberate with the board.* Selection, qualifications, terms, removal of members and filling of vacancies shall conform with RSA 673:5-14.

**ARTICLE IV**      **OFFICERS:** The Board shall annually elect three officers at the first meeting after Town Meeting. The officers are Chair, Vice Chair and Secretary.

**ARTICLE V**      **DUTIES OF OFFICERS:**

A. Chair: The Acting Chair shall call the meeting to order, preside over the deliberations, ensure that all proceedings are held in accordance with Town and State law (spell out), appoint committees, prepare an annual report, and perform other duties customary to the office.

B. Vice Chair: In the absence of the Chair, the Vice Chair shall perform all duties of the Chair. If neither the Chair or Vice Chair are available for a scheduled meeting a quorum of the remaining members shall appoint an Acting Chair to fulfill the aforementioned duties.

C. Secretary: The Secretary shall sign plans and document conditions pursuant to conditional approvals and summarize such conditions for motions related to conditional approvals.

**ARTICLE VI**      **EMPLOYEES:** The Board, may utilize the services of Town Employees such as the Recording Secretary and Town Planner and other consultants as necessary per RSA 673:16. Specific requests shall be made in motion format by the Board.

**ARTICLE VII**      **COMMITTEES:**

A. The Board may establish advisory committees by a majority vote. Such committees shall report directly to the Planning Board.

B. Committee members shall be Conway residents, and at least one member shall be a member of the Planning Board appointed by the Chair.

C. Upon creation of a committee, the Board shall establish by majority vote the following:

1. number of committee members;
2. clear statement of assignment;
3. time frame for fulfilling assigned duties; and
4. progress reports and final work product expected.

TOWN OF CONWAY, NH  
PLANNING BOARD BY LAWS

**ARTICLE VIII MEETINGS:**

A. Regular meetings shall be held at least monthly. The date, time and place of regular meetings shall be selected by majority vote of the Board at the first meeting following Town Meeting, or at another regular or special meeting.

B. A regular meeting may be postponed by the Chair upon request by four members of the Board, and provided that all members are so notified. However, the Board shall hold at least one meeting each month as required by RSA 673:10, II.

C. The order of business at regular meetings shall be as follows:

1. call to order by Chair
2. appointment of alternates by the Acting Chair, as necessary
3. review of minutes
4. meeting business
5. other business
6. adjournment

D. Special meetings such as workshops and site walks may be called by the Chair or in his/her absence by the Vice Chair, upon request by four members of the Board. The date, time and place of special meetings shall be selected by the vote of the Board. No business shall be acted upon unless a quorum is present. Public notice shall be provided as specified in RSA 91-A:2.II.

**ARTICLE IX**

**PUBLIC HEARING:** The conduct of public hearings shall be governed by the following:

- A. The Chair shall open the public hearing and report on the matter for which notice was given.
- B. The applicant shall be called to present the proposal.
- C. The Chair shall allow all those in attendance to have an opportunity to speak regarding the proposal. The Chair shall allow each individual an opportunity to speak before allowing anyone to speak a second time, and may take action to avoid repetition of discussion.
- D. All discussion shall be directed through the Chair.
- E. After all comments have been received, the Chair shall either close or continue the hearing. The date, time and place of every continuance shall be specified.

**ARTICLE X**

**RULES OF PROCEDURE:**

The Board may adopt such Rules of Procedure as it deems necessary to conduct business, provided that such rules comply with the following provisions:

- A. Four members of the Board shall constitute a quorum. No business may be transacted without a quorum, but a lesser number may meet and adjourn.
- B. A motion, duly seconded, shall be carried when a majority of members present and voting vote in the affirmative.

**ARTICLE XI**

**SUSPENSION OF RULES:** These by-laws may be temporarily suspended by an affirmative vote of at least five Board members.

**ARTICLE XII**

**AMENDING THE RULES:** These By-laws may be amended by a vote of the Board, provided that such amendment is read at two successive, regular meetings immediately preceding the meeting at which the vote is to be taken.

Topic for agenda-  
NH Housing Mint Grant

I have been informed the NH Housing would entertain the idea of a mini grant to Conway for us to hire a consultant. As we have been short staffed in the planning department, they are open to the idea. We would need to pick a topic or area we would want to the consultant to focus on. I suggest we look to one of the ordinance changes we have spoken about. I would also want our new planner to be on board. It is not meant to usurp his authority, just take something off his plate while still letting us as a board take action for the upcoming warrant and not waiting until 2023.

Mini Grants are made in amounts of up to \$5,000 and are available to support local governments. Eligible activities also include the funding of technical assistance (by third parties) to explore housing friendly land use regulations and may also be used to research the feasibility of starting a local or regional housing advocacy initiative. No match is required; however, the availability of matching funds will be a consideration in the funding decisions.

<https://www.nhhfa.org/wp-content/uploads/2019/06/Mini-Grants.pdf>

**DOCUMENTS TO BE SUBMITTED:**

1. Brief narrative addressing the following (No more 900 words):
  - i. Organizational structure
    - a. Members (note representation of business and industry).
    - b. Describe the organization, its mission and legal status.
    - c. Identify fiscal agent.
  - ii. Purpose of request
    - a. Project goals, activities, timeline and intended outcomes.
    - b. People or entities involved in the project.
    - iii. Use of mini grant funds.
    - c. Describe other sources of funding for the project/activity, if applicable.
2. Financial information:
  - i. Project budget
    - a. Include sources and uses of funds.
    - b. Mini grant funds may be used to cover staff time for the project.

## **Conditional Use Permit for Compact Cluster Housing Developments**

In order to encourage the development of affordable primary residences and enhance residential housing choices in Conway, the Planning Board may grant a conditional use permit for compact cluster housing developments under the following conditions:

- All dwelling units shall be in single-family detached structures or duplexes;
- All dwelling units shall be served by municipal water and sewerage;
- All dwelling units shall have a floor area of not less than 300 square feet and not greater than 1000 square feet;
- All dwelling units shall be used for long-term residency and as primary residences, and short-term transient occupancy of any dwelling unit is prohibited;
- The minimum lot size shall be  $\frac{1}{4}$  acre for the first unit and 5,000 square feet for each additional dwelling unit on a lot;
- The minimum frontage for any lot shall be 50 feet;
- This conditional use permit shall not be combined with any other conditional use permit or special exception, including but not limited to the special exceptions for accessory dwelling units.