

CONWAY PLANNING BOARD

MINUTES – WORK SESSION

AUGUST 11, 2022

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CONWAY PLANNING BOARD

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AUGUST 11, 2022

A work session of the Conway Planning Board was held on Thursday, August 11, 2022 beginning at 6:00 pm at the Conway Town Office, Conway, NH. Those present were: Chair, Ben Colbath; Selectmen's Representative, Steven Porter; Vice Chair, Ailie Byers; Erik Corbett; Eliza Grant; Mark Hounsell; Planning Director, Jamel Torres; and Recording Secretary, Jacqueline White. Alternate Ted Phillips was in attendance.

APPOINTMENT OF ALTERNATE MEMBER

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

§110-21.A.(1) – NUMBER OF PARKING SPACES

Mr. Torres summarized his findings from researching off-street parking requirements in other communities throughout northern New England. The towns chosen to research were; Durham, NH; Plymouth, NH; Meredith, NH; Lincoln, NH; Wells, ME; Scarborough, ME; and Rockland, ME. The specific towns were chosen because they either have similar populations or they are considered a resort town.

Mr. Colbath stated one of the main reasons this has been brought up is because of the potential for overdevelopment of sites, and the Board felt some developers were not being forthcoming with number of spaces they would need while being fully staffed. Mr. Colbath pointed out there are several towns with required spaces for employees and feels this could be beneficial to add to our regulations. Mr. Colbath discussed the parking around town and a few issues that have been brought to the Boards' attention.

Mr. Colbath stated we don't want to increase the parking requirement too much, because we don't want to see a lot of pavement everywhere. Mr. Torres stated this will not impact existing businesses unless if they came forward with a new site plan application, this would impact new development. Mr. Colbath hopes this would mitigate the overdevelopment of sites the Board has been seeing lately.

Mr. Dick Delaney, owner of Delaney's Hole in the Wall Restaurant, spoke briefly on parking at his site. He suggests squaring away the one issue the Board identified and leaving seating requirements as is. Mr. Colbath explained it is not just the Board noticing parking issues, but that members of the public have also reached out to Board members asking them to look into the issue.

Mr. Hounsell stated if the problem is parking on Artist Falls Road and Depot Street, which is a parking issue, it should be dealt with through the Selectmen. Mr. Hounsell said he is concerned about the costs for business owners for the increased parking spaces and increased paving.

Adopted: September 8, 2022 – As Written

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Mr. Colbath explained they are not looking to solve the Artist Falls and Depot Street parking with the parking requirements it was just an example of what the Board does not want to see in the future. Mr. Colbath said there were three large development projects that came before the Board that triggered this conversation.

Mr. Wally Campbell spoke about COVID and how it has also changed the number of staff in restaurants. Before COVID, restaurants wanted as many tables as was comfortable, but as you know with COVID the state regulations cut the number of tables quite a bit. Mr. Campbell stated to the best of his knowledge most of the restaurants have kept the smaller number of seats because it is more comfortable for their patrons and staff.

Mr. Porter stated we are not trying to go after local restaurants, but what we are dealing with recently is the hotels that are being built at a rapid pace and are implementing restaurants as well. Mr. Porter said another issue that needs to be looked at is drive thru restaurants closing their dining rooms and just having the drive thru open, which causes the cars to stack up in line out onto Route 16.

Mr. Shawn Bergeron, owner of Bergeron Technical Services, spoke suggested the Board should speak directly with the owner of Muddy Moose, Jim Abraham, who is here at the meeting. Mr. Bergeron suggested using Place of Assembly permits to enforce capacity. Mr. Bergeron stated the number of occupants on the Place of Assembly permit is what should be brought to the Board.

Mr. Erik Corbett inquired about putting moratoriums on hotel development for a certain amount of time, he feels this could help balance out the housing issue. Mr. Porter stated that is not allowed in the state of New Hampshire.

Ms. Jen Ansaldi with the Valley Originals stated it seems from the conversation and articles that the hotels with restaurant developments seem to be the problem, not the restaurant only developments. Ms. Ansaldi asked if there is a way to require new projects to require a certain amount of housing. Mr. Colbath stated we are working on it, there is a process and it is not quick, which involves zoning changes and with the Master Plan rewrite coming up we are hoping to tackle it all at the same time.

Mr. Porter suggests regulating overdevelopment of sites with green space. Mr. Porter stated increasing green space requirements would limit the overdevelopment of sites. Mr. Porter asked if we could just change the requirements for hotel and restaurant developments.

Mr. Jim Abraham, owner of the Muddy Moose, stated when the restaurant was built it was a new concept in Conway and they had no idea how much parking they would need or how many employees would be needed. The parking lot was originally half the size, and they noticed the first year they needed more parking, so the next year they increased the size of the parking lot. Mr. Abraham shared that the corporate restaurants that come into Town have history and know how much business they do and how many employees they need to run their business.

There was a short discussion regarding when new developments come in for hotels with restaurants in them and it is stated the restaurant is for guest only and how the Town could enforce that.

Mr. Colbath stated he is in favor of adding requirements for employee parking to our regulations. Mr. Porter suggested to the Board that they table the conversation of restaurants and parking spaces. Ms. Grant asks if Mr. Torres could look into making the parking requirements based on Place of Assembly Permits. Mr. Torres stated he has never seen that before, but will look into it.

Mr. Porter made a motion, seconded by Mr. Hounsell to have Mr. Torres research parking standards for hotel/restaurant on one site. Motion carried unanimously.

GREENSPACE REQUIREMENTS DISCUSSION

Mr. Porter stated he is glad we are having this discussion. He said if we increase the greenspace requirement, you take away buildable areas which will lead to less overdevelopment of sites.

Ms. Grant said this could potentially help future potential small local businesses to compete with bigger businesses. She stated limiting what can be put on a site might make property costs more affordable.

Ms. Byers asked Mr. Torres if staff has an opinion on increasing greenspace requirements. Mr. Torres stated it is not about limiting development, it is also about what a site looks like. He said do we want to see large parking lots or do we want to see landscape islands, buffers, and greenspace, etc. Mr. Torres stated he needs to research before giving a percentage in mind.

Mr. Torres asked where does the Board want to see the greenspace, more upfront? Mr. Colbath said upfront and buffers on the side, whatever areas you see fit.

Mr. Hounsell is in favor of increasing greenspace, but would like more details.

Mr. Porter suggested looking at the three sides that abut other properties.

Ms. Grant stated she would like to see the greenspace percentage increased a decent amount. She feels sites with greenspace percentage of less than 40% look overdeveloped.

Meeting adjourned at 7:02 pm.

Respectfully Submitted,

Jaqueline White
Recording Secretary

Planning Staff Report for Planning Board Work Session

To: Planning Board
Prepared By: Jamel Torres, Planning Director
Date: 8/4/22

Staff has prepared this report to assist the Planning Board during their work session on August 11, 2022. This report includes information related to Section 110-21.A.(1) – Minimum Number of Parking Spaces for Restaurants and Section 110-29.B – Greenspace Requirements in the Site Plan Review Ordinance.

Off-Street Parking Requirements for Restaurants

At the June 23, 2022 Planning Board meeting staff was instructed to conduct research in regards to off-street parking requirements for restaurants in other communities throughout northern New England. To this end, staff reviewed ordinances in the following communities:

- Durham, NH
- Plymouth, NH
- Meredith, NH
- Lincoln, NH
- Wells, ME
- Scarborough, ME
- Rockland, ME

Below is a summary of each community's off-street parking requirements for restaurants.

Durham, NH

- Take-Out Restaurants
 - 1 space per 2 seats, **AND**
 - 1 space per employee at maximum shift capacity**OR**
 - 1 space per 50 square feet (SF) gross floor area (GFA), **AND**
 - 1 space per employee at maximum shift capacity
- Eat-In Restaurants
 - < 4,000 SF: 1 space per 100 SF of seating area, **AND** 1 space per employee at maximum shift capacity**OR**
 - > 4,000 SF: 40 spaces, **AND** 1 space per 200 SF GFA in area excess of 4,000 SF

Plymouth, NH

- All Restaurants
 - 1 space per 4 seats

Meredith, NH

- All Restaurants
 - 1 space per 3 seats

Lincoln, NH

- All Restaurants
 - 1 space per 4 seats

Wells, ME

- Eat-In Restaurants
 - 1 space per 3 seats, **AND**
 - 1 space for 20 seats to accommodate employees
- Take-Out Restaurants
 - 1 space per 30 SF floor area usable by customers for eating food and food preparation

Scarborough, ME

- Eat-In Restaurants
 - 1 space per 4 seats, **AND**
 - 1 space per 2 bar seats, **AND**
 - 1 space per 60 SF of customer waiting area, **AND**
 - 1 space per 2 employees at maximum shift capacity
- Take-Out Restaurants
 - Standards above apply, plus at least 10 spaces, plus 6 stacking spaces for each take-out window, 3 of which must be for the ordering station, located to not interfere with pedestrian and vehicular circulation.

Rockland, ME

- All Restaurants
 - 1 space per 4 seats in dining areas, **AND** 1 space per 100 SF of bar/lounge/waiting area, **AND** 1 space per employee.
 - 2 additional spaces needed for each take-out window (minimum of 10 spaces need to be provided), **AND** 1 additional space for each outdoor dining table, **AND** 5 parking spaces for each take-out window (if necessary).

Staff reviewed the off-street parking standards for restaurants in these specific towns because they either have similar populations and/or they can be considered resort or tourist towns, similar to Conway. It appears that our current standard for restaurants, 1 space per 3 seats, is generally adequate, however, perhaps adding a provision to include required parking spaces for employees would be beneficial. Perhaps the Board should consider adding provisions for off-street parking spaces related to the number of employees at maximum shift capacity. Other provisions related to take-out/drive-thru stacking/parking space requirements and square footage of customer waiting area could also be considered. Another option could be to break up the requirements for restaurants into two categories (eat-in and take-out style restaurants). Staff is prepared to draft ordinance language as such when instructed by the Planning Board.

Greenspace Requirements Discussion

Several Board members have expressed an interest in increasing this greenspace requirement set forth in Section 110-29.B. in the Site Plan Review Ordinance.

Here is the current language – “In all zoning districts, greenspace shall comprise no less than 25% of the total lot area, exclusive of wetlands, water bodies, one-hundred-year (or ten-year floodplains adjacent to Pequawket Pond), and slopes over 25%....”

Staff looks forward to discussing this standard with the Board and is comfortable drafting new language should the Board desire such.



theValleyOriginals.com

★ The Valley Originals is a 501 (c)3 Non-Profit Organization ★

Mr. Jamel Torres, Planning Director
Mr. Benjamin Colbath, Planning Board Chair
P.O. Box 2680
23 Main Street
Conway, NH 03818-2680

Reference: Site Plan Review – Restaurant Parking Requirements

Dear Jamel and Ben,

We are writing to you regarding the Planning Board's ongoing process of reviewing and potentially modifying the parking space requirements for restaurants. Our group, The Valley Originals, is a group of locally owned and operated restaurants that work together to share their thoughts and ideas on what the Valley's local eateries should be. Every one of us engages in the community, we support our local organizations and in general; eat, work, recreate and sleep right here. If you look at our website, thevalleyoriginals.com, you will recognize all of us and you will notice that no "original" represents a national franchise – generally we are sole proprietors, we care about this Valley and we want to be here for a long time. The details of our group now having been explained, we need to express our thoughts about the changes that Conway's Planners are considering.

At this time, Conway's Site Plan Review Regulations (Chapter 110 of Town of Conway Code) stipulates that the *TOTAL REQUIRED PARKING* for a restaurant use shall be 1 parking space per 3 seats and for a "lounge", 1 space per 2 seats. Within our group and for the restaurants that are located in Conway, some of us meet the current requirements, some may exceed the current requirements and others, fall far below the current requirements. That said and based on hundreds of years of collective restaurant operational wisdom, the Valley Originals are not aware of any need to increase the number of required parking spaces for restaurants. Why do we say this? Simply stated many years of successful business operations show that for the majority of the Valley Originals located in Conway, when considering the number of parking spaces available versus the number of seats provided, we are all doing fine and most importantly, are serving both our customers and the community very well. The old adage of "it ain't broke so don't fix it" should be applied. If there's a case where one restaurant has developed an off-site parking problem, and we have heard that there may be, please don't conclude there's a systemic problem that needs repair. Go to that one restaurant and find out first, if there really is a problem and then, if there is, how are they going to fix it? We would like for all of us to not be held responsible for a misdeed of one.

Thank you for taking the time to consider the information and comments that we have provided and sincerely, thank you for the work that you do. We appreciate that the members of the Planning Board are volunteers and that Jamel, you and Holly are a planning "staff" of two in a drastically changing community. We look forward to talking with the Planners at the August 11th meeting.

Sincerely,
For The Valley Originals

Dick Delaney
President

Cc: file- Members of the Valley Originals

Over 20 locally owned & operated restaurants

302 West Smokehouse & Tavern ★ Almost There Restaurant ★ Barley & Salt ★ Black Cap Grille ★ Cafe Noche ★ Chef's Bistro ★ Christmas Farm Inn ★ Deacon Street ★ Delaney's Hole In The Wall ★ Horsefeathers ★ J-Town Deli and Country Store ★ Joseph's Spaghetti Shed ★ Max's at Snow Village Inn ★ Merlino's Steakhouse ★ Moat Mountain Smokehouse ★ Oxford House Inn ★ Priscilla's ★ Red Parka Pub ★ Shalimar of India ★ Shannon Door Irish Pub & Restaurant ★ Shovel Handle Pub ★ The Notchland Inn ★ Thompson House Eatery ★ White Mountain Cider Company ★ Wildcat Inn and Tavern