

CONWAY PLANNING BOARD

MINUTES

JULY 11, 2024

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CONWAY PLANNING BOARD

MINUTES

JULY 11, 2024

A meeting of the Conway Planning Board was held on Thursday, July 11, 2024, beginning at 6:00 p.m. at the Conway Town Office, Conway, NH. Those present were: Chair, Benjamin Colbath; Selectmen's Representative, Steven Porter; Vice Chair, Ailie Byers; Secretary, Erik Corbett; Eliza Grant; Bill Barbin; Ted Phillips; Town Planner, Ryan O'Connor; and Assistant Planner, Holly Whitelaw. Alternate Nat Lucy was in attendance.

UNSEAL NON-PUBLIC MINUTES

Ms. Byers made a motion, seconded by Ms. Grant, to unseal the minutes of February 1, 2024. Motion carried unanimously.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Porter made a motion, seconded by Ms. Grant, to approve the minutes of June 27, 2024, as written. Motion carried unanimously.

ROBERT AND DEBORAH COMEAU/JAMES L. ABRAHAM REVOCABLE TRUST (FILE #S24-05) – BOUNDARY LINE ADJUSTMENT REVIEW (PID 218-9 & 231-146)

This is an application to convey 0.72 of an acre to PID 231-146 (Abraham) from PID 218-9 (Comeau) at 2344 & 2384 White Mountain Highway, North Conway.

Mr. O'Connor explained this adjustment would allow the property where the Muddy Moose is located to expand to include the area between the building and Artist Falls Road. The application is recommended as complete.

Mr. Porter made a motion, seconded by Ms. Grant, to accept the application of Robert and Deborah Comeau/James L. Abraham Revocable Trust for a boundary line adjustment review as complete. Motion carried unanimously.

Ron Briggs of Briggs Land Surveying appeared before the Board. James Abraham was in attendance. Mr. Briggs explained this is a boundary line adjustment to transfer a piece of land between Kearsarge Brook and the Muddy Moose Restaurant. There were no waiver requests.

Chair Colbath asked for Board comment; there was none.

Chair Colbath asked for public comment; there was none.

Ms. Whitelaw read the conditions of approval.

Mr. Porter made a motion, seconded by Ms. Grant, to conditionally approve the boundary line adjustment for Robert and Deborah Comeau/James L. Abraham Revocable Trust conditionally upon North Conway Water Precinct water and sewer approval; submitting a Mylar for recording; submitting a \$25 check made payable to Carroll County Registry of Deeds for the L-CHIP fee; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on December 12, 2024. Motion carried unanimously.

1675 WMH, LLC AND DEMOULAS SUPERMARKETS, INC. (FILE #S24-04) – BOUNDARY LINE ADJUSTMENT FINAL APPROVAL REVIEW (PID 235-85 & 92)

This is an application to modify the conditionally approved plan from April 2024 by changing one of the proposed boundary lines and granting final approval at 1699 White Mountain Highway and 80 Barnes Road, North Conway, NH. Mr. O'Connor noted all of the original conditions of approval have been met and recommended that the application be granted final approval.

Michael Mitchrone, General Manager OVP Management, appeared before the Board.

Chair Colbath asked for Board comment; there was none.

Chair Colbath asked for public comment; there was none.

Mr. Porter made a motion, seconded by Chair Colbath, to grant final approval of the boundary line adjustment to 1675 WMH, LLC and Demoulas Supermarkets, Inc. Motion carried unanimously.

The plans were signed.

OTHER BUSINESS

Marcello Enterprises, LLC (File #NA24-11)

This is a non-applicable request to allow the establishment of a 5-room boardinghouse of approximately 2,500 square feet and accessory storage of approximately 8,300 square feet within the existing structure at 2617 White Mountain Highway, North Conway (PID 218-134).

Shawn Bergeron of Bergeron Technical Services appeared before Board on behalf of Marcello Enterprises, LLC. The building owner is in need of employee housing. He is requesting a non-applicable to convert the existing building into five suites, with a communal kitchen.

Chair Colbath asked for Board comment. The Board agreed it was a good idea that would not impact the site and will assist the housing situation in the village. They commended the employer for taking this step for his staff.

Mr. O'Connor noted there are previous approvals and uses of the site that would be abandoned. He read the conditions of approval.

Mr. Porter made a motion, seconded by Chair Colbath, that the Planning Board determined that based on the provisions of §110-4. A.(5), regarding applicability, that the establishment of a 5-room Boardinghouse of approximately 2,500 square feet and accessory storage of approximately 8,300 square feet within the existing structure 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 conditionally upon North Conway Fire Chief approval; review of E911 addressing of the structure with Town Staff to ensure the various entrances and units are properly identified; and the applicant has the responsibility to obtain all applicable approvals or licenses such as Building Permits and addressing life safety requirements; and subsequent conditions of final approval, any prior use of the structure is considered abandoned and previous approvals that were not acted on are no longer valid; and a Certificate of Occupancy must be issued within 24 months for this approval to remain valid. Motion carried unanimously.

HOP Grant Committee Update

Ms. Byers shared a revised version of the Committee's goals for the coming years. For the grant, this process must be completed by the end of the month. Ms. Grant added the Planning Board would be asked for input on the exact language to be put on the warrant.

Selectmen's Report

Mr. Porter said the Select Board has not met for a couple of weeks, so had no report.

Issues for Consideration

Mr. Philips made a motion, seconded by Chair Colbath, to form a committee to assist with the planning concerns regarding the extension of the rec path.

Chair Colbath asked for Board comment.

Ms. Grant proposed resurrecting a committee to address bypass land. Chair Colbath suggested keeping these two issues separate and addressing this at a later date.

Mr. Porter asked Mr. O'Connor if the Trails Association could meet with the Board to present their proposal for the rec path and answer the Board's questions. He noted the Select Board will hold another public hearing, once the final plans are complete. Mr. O'Connor reminded the Board they were to send him questions to present to the trails committee and he has only received a few. Mr. Porter said it would be preferable to have a public meeting on the Planning Board level. Mr. O'Connor will follow up on this.

Mr. Porter felt forming a committee was premature at this point.

Chair Colbath asked for public comment.

Shawn Bergeron of Bergeron Technical Services has been contacted by many people who have concerns. He has a partial set of plans and requested a full set. He was then contacted by Chris

Adopted: July 25, 2024 – As Written
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Meyer, asking why he wanted the plans. He noted areas of concern, including boardwalks through wetlands, road crossings, bridges, retaining walls, and the path ending across from the scenic vista. He understands the next set of plans are being delivered to the Town Offices in a week, which might answer questions and ease tension. He asked if the Select Board approved this project. Mr. Porter said they have not yet voted on it.

In response to a question from Ms. Grant regarding vegetation, Nat Lucy said that the members of the Conservation Commission have walked the path several times and have this in mind.

Motion carried, with Mr. Phillips, Mr. Corbett, Chair Colbath, Ms. Grant, and Mr. Barbin voting in the affirmative, Ms. Byers voting in the negative, and Mr. Porter voting present.

Mr. Phillips will chair the committee, with Mr. Corbett and Ms. Grant as members.

Media Questions

Tom Eastman of the Conway Daily Sun asked if the proposed meeting regarding the rec path will be open to the public. Chair Colbath explained if the trails committee agrees to meet with the Board, it will be at a public meeting and will have public input. Mr. Eastman asked if the Board would like the public to submit questions to Mr. O'Connor. Mr. Porter said this would be beneficial. Chair Colbath noted the public can also reach out to Board members with questions that they would like answered.

Meeting was adjourned at 6:48 p.m.

Respectfully submitted,
Beth Haggeli