

**CONWAY PLANNING BOARD**

**MINUTES**

**JULY 25, 2024**

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**CONWAY PLANNING BOARD**

**MINUTES**

**JULY 25, 2024**

A meeting of the Conway Planning Board was held on Thursday, July 25, 2024, beginning at 6:02 pm at the Conway Town Office, Conway, NH. Those present were: Chair, Benjamin Colbath; Selectmen’s Representative, Steven Porter; Secretary, Erik Corbett; Eliza Grant; Bill Barbin; Ted Phillips; Town Planner, Ryan O’Connor; and Assistant Planner, Holly Whitelaw.

**REVIEW AND ACCEPTANCE OF MINUTES**

**Mr. Porter made a motion, seconded by Ms. Grant, to approve the minutes of February 1, 2024 – Non-public as written. Motion carried, with Mr. Phillips being present.**

**Mr. Porter made a motion, seconded by Ms. Grant, to approve the minutes of July 11, 2024, as written. Motion carried unanimously.**

**WORK SESSION**

The following two items were discussed simultaneously.

**Discussion of amendment to Chapter 190, Zoning; to establish permitted uses within the proposed Commercial Core district**

**Discussion of amendment to Chapter 190, Zoning; to revise the definition for hotels and create a definition for motels**

The Board continued their earlier discussion about the creation of a Commercial Core district. The intent is to restrict large-scale development to a single district and to limit the square footage of these projects. Everything in the Highway Commercial district would be moved to this district and projects in the Highway Commercial district would be limited by square footage.

Chair Colbath asked for public comment.

Michael Mitchrone, general manager of Settlers Green, expressed his support for this concept.

Ms. Grant reviewed the table of permitted uses.

The Board discussed proposed definitions, including:

- Accessory Dwelling Units (ADU) and short-term rentals
- transient (short-term) and non-transient (long-term) occupancy
- hotel: transient occupancy of a building over two stories for more than 16 people with rooms that open onto an interior hallway
- motel: transient occupancy of a building not exceeding two stories for more than 16 people that could have cooking facilities

**Adopted: August 8, 2024 – As Written**  
**CONWAY PLANNING BOARD – JULY 25, 2024**

- lodging house, owner occupied: transient occupancy of a building for 16 or fewer people
- lodging house, non-owner occupied: transient occupancy of a building for 16 or fewer people
- grandfathered use
- parking lot

Uses permitted in the commercial core include:

- resort hotels
- retail over 15,000 square feet
- charitable gaming facilities

The Board discussed the desire to retain the rural nature of the villages and how to do this, while still providing access to amenities. They noted the need to make it amenable for businesses to develop in the appropriate districts. They also considered reasonably allowing any structure over 15,000 square feet in the Commercial Core through a Conditional Use Permit. They stressed their desire to protect the community moving forward.

The next steps will be to revise the table of uses and draft language for the Commercial Core district.

**Discussion of amendment to Chapter 110, Site Plan; to allow Low-Impact Development stormwater controls as an incentive for reduced Greenspace**

The Board agreed that greenspace requirements can be reduced by 10 percent, if developments meet or exceed the Wetland and Waterland Overlay District stormwater criteria.

**Ms. Grant made a motion, seconded by Mr. Porter, to move to public hearing on August 22, 2024. Motion carried unanimously.**

**Discussion of amendment to Chapter 110, Site Plan; to establish vegetative buffer requirements based on structure square footage within Village Commercial districts**

The Board agreed that structures over 10,000 square feet would be subject to an additional one-foot buffer for each additional 1,000 square feet of occupiable floor area in the Village Commercial districts.

**Mr. Porter made a motion, seconded by Ms. Grant, to move to public hearing on August 22, 2024. Motion carried unanimously.**

**Discussion of amendment to Chapter 110, Site Plan; to create definitions for New development and Redevelopment**

The Board agreed on definitions of redevelopment and new development as they relate to a 10 percent increase in impervious coverage.

**Mr. Porter made a motion, seconded by Ms. Grant, to move to public hearing on August 22, 2024. Motion carried unanimously.**

## **OTHER BUSINESS**

### **HOP Grant Committee Update**

Mr. O'Connor said the final document will be prepared in the next few days. Everything relating to this grant must be finalized by July 31<sup>st</sup>. The Board will discuss this document at the next work session. Mr. O'Connor suggested making it an appendix to the Master Plan, which would require a public hearing.

### **Selectmen's Report**

Mr. Porter said while the Selectboard did not meet last week, they did attend the School Board meeting. He expressed disappointment at how the elected officials treated the people who attended the meeting. He was offended that the Planning Board and Master Plan committee spent over a year creating a tool to promote growth in the valley, and the only time the School Board used it was to justify their actions over the past several months. This was not what the Master Plan was intended for. He lost faith in the elected officials at that meeting, as they did not rescind the mistake of changing the names of two elementary schools and they intimidated staff and other members to change their votes. He wants to preserve as much of the heritage of the valley as possible and felt the School Board did not care about the heritage of the schools. He implored the School Board to not use the Master Plan to justify any decisions they make moving forward. He said the decisions he makes are based on how they will impact the people he serves.

Ms. Grant expressed her hope that if people show up for a meeting, the Board listens to them. She hopes the residents feel that their wishes are heard.

### **Rec Path Committee Update**

Mr. Phillips said there was a brief meeting. Ms. Grant asked how abutters were notified of the Select Board public hearings on the rec path. Mr. O'Connor said there have been two meetings on the rec path; the first was not noticed and the second was noticed.

### **Media Questions**

Tom Eastman of the Conway Daily Sun asked if a date has been set for the rec path group to meet with the Planning Board. Mr. O'Connor said questions are still being drafted for the Planning Board's rec path committee to review, which will then be forwarded to the rec path group for responses. Chair Colbath said the group is amenable to meeting with the Board and wants to be transparent. He explained to them why the Planning Board should be involved in this process.

Meeting was adjourned at 7:52 p.m.

Respectfully submitted,  
Beth Hanggeli



# TOWN OF CONWAY

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## MEMO

To: Planning Board  
From: Planning Staff  
Date: July 19, 2024

July 2024, Planning Board Workshop

Dear Planning Board,

The following outlines what is to be reviewed at the upcoming Planning Board Workshop:

### **Proposed Commercial Core District, Permitted Uses**

The proposed Commercial Core (CC) District is intended to permit larger scale development like hotels and “big-box” retail development. The new zone would mimic the Highway Commercial (HC) District as far as lot size & density, frontage, setbacks and other requirements. Modifications to the Permitted Use Table would distinguish the differences between the districts.

As proposed, the changes would require several new and modified definitions. Currently Hotels and Motels are defined together and with this proposal the uses would be separated. The definition for Hotels would include the larger multistory structures and Motels would define the smaller operations more in line with the scaled down development the Board is hoping to achieve in the HC district.

This change could also remove the need for a separate definition for Resort Hotels, Bed & Breakfasts, and Rooming Houses. If a hotel was proposed in conjunction with a resort, this would be reviewed as other sites with multiple principle uses.

With the creation of the new zone, it may be appropriate to review limiting the districts which Charitable Gaming, Junkyards, and Sexually Oriented Businesses could operate.

The following uses could be added or modified within the Permitted Use Table:

- Hotels – To be removed from HC and permitted in CC only
- Motels – To be permitted in HC and CC only
- Resort Hotels – To be removed from all Districts
- Retail – Modify the allowable square footage of retail establishments to the following:
  - Retail less than to equal to 3,000 Square Feet – Permitted in CCVC, CVC, NCVC, HC, I1, I2, CC
  - Retail between 3,000 and 15,000 Square feet – Permitted in CVC, NCVC, HC, CC

- Retail greater than 15,000 Square Feet – Permitted in CC and by Conditional Use in HC
- Charitable Gaming Facility – Only permitted in the CC District
- Automobile Junkyards – To be removed from HC and remain in I1 & I2
- Sexually Oriented Businesses – Remove from HC and permitted in CC

### **Proposed Definition Revisions for Hotels & Motels**

The following definitions would be proposed as part of the creation of the Commercial Core District. I would also note, Eliza was a big help researching these definitions.

**Hotel** – A building or groups of buildings used for Transient Occupancy offered to the public at a daily or weekly rate with sleeping accommodations for greater than 16 persons. Facilities may include, where allowed, such accessory uses as restaurants, bars, taverns, function rooms, places of assembly or recreational facilities, but shall not include Charitable Gaming. A Hotel is distinguished from a Motel by providing room accommodations which primarily open to interior corridors and / or exceeds two-stories in structure height. Hotels are not permitted on the western side of White Mountain Highway.

**Motel** – A building or groups of buildings not exceeding two-stories (including grade level) used for Transient Occupancy offered to the public at a daily or weekly rate with sleeping accommodations for greater than 16 persons. Permitted accessory uses shall not include places of assembly exceeding 50 persons or Charitable Gaming Facilities. Individual Motel rooms may include cooking facilities.

**Lodging House**- A building or portion thereof that provides Transient Occupancy accommodations for a total of 16 or fewer people, with or without meals. This definition includes Inns, Bed-and-Breakfasts, as well as single family homes and duplexes that are used for Transient Occupancy which accommodates 16 or fewer people. Inns, Bed and Breakfasts, or other transient lodging which can accommodate greater than 16 persons will be considered a Hotel or Motel.

**Transient Occupancy**- Occupancy of a residential dwelling unit for 30 days or less. Also called “short term occupancy”.

**Non-transient Occupancy**- Occupancy of a residential dwelling unit for 31 days or more. Also called “long term occupancy”.

Current definitions that would be struck from the Ordinance; Boarding house/Rooming house, Bed-and-Breakfast, Owner-Occupied Lodging House/ Owner-Occupied Rooming House. And Resort Hotels.

## **Greenspace Reduction Incentives**

As discussed at the last Work Session, the Board asked to explore options for offering greenspace reductions when additional stormwater controls could be incorporated with development. Below is a proposed change to Greenspace requirements, §110-29.B.(5), which would allow for a reduction in Greenspace of 5% when stormwater treatment meets the minimum requirements of the Wetland and Watershed Overlay District. When developments are designed with these standards, nutrients and phosphorus are removed from groundwater which greatly reduces pollutants reentering the soil.

Proposed Language for §110-29.B(5):

“In all zoning districts, Greenspace may be reduced by 5% when proposed developments meet or exceed the stormwater requirements described within 190-28 C and D”

## **Vegetative Buffer Requirements within Village Commercial districts**

At the last Work Session meeting, the Board had discussed expanding the greenspace buffer requirements to Village Commercial districts. The language below offers a proposal for that language. This includes verbiage that states redevelopment projects that prioritize preservation are not subject to these requirements.

Proposed Language for §110-29.A(8):

In Village Commercial districts, parcels fronting on White Mountain Highway, Main Street, or East Main Street are subject to an additional buffer area. Development which exceeds 10,000 Square Feet of occupiable floor area shall provide an increased buffer of 1 foot for each additional 1,000 Square Feet of occupiable floor area. This requirement may be waived or reduced for developments which incorporate restricted long-term residential units. Redevelopment proposals which prioritize the preservation of existing facades, rooflines, scale, walkability and character of the site, as determined by the Planning Board, are not subject to this requirement.

## **Proposed Site Plan Definitions**

As part of the recent changes to site Greenspace requirements, the following definitions are proposed to specify redevelopment and new development. This would be an amendment to §110-3; Site Plan Review Definitions.

**Redevelopment** – Any site development on previously disturbed land for other than agricultural or silvicultural practices, which increases redevelopment impervious coverage by no greater than 10%.

**New Development** - Any site development for other than agricultural or silvicultural practices, which increases the predevelopment impervious coverage by greater than 10%.