

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN  
December 21, 2021**

The Selectmen's Meeting convened at 4:00 pm in the Meeting Room at the New Town Hall with the following present: C. David Weathers, Carl Thibodeau, John Colbath, Steven Porter, Town Manager Thomas Holmes, and Executive Secretary, Krista Day.

PLEDGE OF ALLEGIANCE

Mr. Weathers led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Mr. Weathers stated that they would be adding item number 12a. AP Manifest dated 12/16/2021 and 17a.

Non-public Session RSA 91-A:3 II (D) – Consideration of Acquisition, Sale or Lease.

**Mr. Colbath moved, seconded by Mr. Porter, to approve the agenda as amended. The motion carried unanimously.**

AUDITORS QUESTIONNAIRE (PAGE 2)

The Board answered the Auditor's Questionnaire as a group; please see attached.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to authorize Chairman Weathers to sign this Auditor Questionnaire out of session on behalf of the Board. The motion carried unanimously**

VOTE ON WARRANT ARTICLES

- a. Non-Precinct Fire and Rescue Protection Agreement with CVFD (Page 5)
- b. Non-Precinct Fire and Rescue Protection Agreement with NCWP (Page 5)
- c. Ambulance Agreement with CVFD (Page 5)
- d. Ambulance Agreement with Action Ambulance (Page 5)

Mr. Holmes explained that they were still making edits to both the Non-Precinct Fire and Ambulance Agreements.

**Mr. Colbath moved, seconded by Mr. Porter, to table this discussion until the next meeting in order to have the revised agreements. The motion carried unanimously.**

DISCUSSION OF CROSSWALK AT SCENIC VISTA

Mr. DegliAngeli explained that at a recent Planning Board meeting, the desire of the Planning Board was for the applicant of the new hotel/restaurant near the Scenic Vista, to be required to have a crosswalk across Route 16.

Mr. DegliAngeli stated that the discussion has gone beyond applicant responsibility.

It is the opinion of both NH DOT and Town Staff that a crosswalk at that particular location is not necessary, and presents issues within itself.

Due to the decreased size of the proposed hotel, along with the traffic studies, there are no traffic problems that would warrant mitigation, and in this case, a crosswalk.

If the Board wished for them to move forward with crosswalk, the Town would be responsible for making that application to the State.

Issues with this area include that it is not a signalized area, there are no sidewalks, and it would require increased lighting, a beacon, and a center refuge.

Mr. DegliAngeli noted that people drive that route at a high rate of speed and it could be potentially dangerous for pedestrians.

It was also stated that the Town would be the owner of this crosswalk, therefore, they would hold the liability.

Mr. DegliAngeli explained that the cost of a project if done by the Town could potentially be at least \$250,000.

Mr. Porter noted that he would be concerned about traffic speed.

There was discussion of the intersection of Intervale Crossroads and Route 16, and it was stated that the construction of the hotel would not contribute negatively to the performance of that intersection.

Mr. Porter inquired as to what the Town could do to mitigate the future impact of that particular intersection.

Mr. DegliAngeli noted that the Town could put an application for a roundabout in for the State's 10 Year Plan.

He stated that this would be the logical way to go about looking long-term.

Mr. Colbath stated that he did not believe crosswalks at this location are not necessary for multiple reasons.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to install crosswalks at the Scenic Vista. The motion failed unanimously.**

DISCUSSION OF ARPA FUNDS/PROJECTS (PAGE 8)

Mr. Holmes explained that last week had presented the Board with an estimate for a second soundboard for the Marshall Gymnasium that would be specifically for Board meetings.

He had discussed the addition of lapel microphones with the company, and was told that if they were going to include them, they would only suggest having a small number.

Mr. Holmes adjusted the quote to include these lapel microphones.

**Mr. Porter moved, seconded by Mr. Colbath, to approve the spending of \$16,323.10 from the ARPA funds for the new soundboard and microphones for the Marshall Gymnasium. The motion carried unanimously.**

INTERDEPARTMENTAL TRANSFER OF FUNDS (PAGE 9)

Mr. Holmes explained that they had two Departments that were currently over budget; Assessing and Legal.

He noted that the Assessing Company was often bringing more than one employee to Town, and that was something that Mr. Holmes had not expected.

Legal was over by about \$500, but the Town is still expecting at least one or two more bills before the end of the year.

Mr. Holmes did want to make clear that the majority of their legal fees were not from Short-Term Rental Issues, but from the Market Basket case, as well as enforcement of illegal operations such as operating an autobody shop in a residential area.

Mr. Holmes noted that he was requesting the transfer of \$10,000 from the Welfare Budget to cover these shortfalls.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to transfer \$10,000 from the Welfare Budget to cover the overspending in the Assessing budget (\$5,000) and Legal budget (\$5,000). The motion carried unanimously.**

Mr. Thibodeau asked if they would be able to take public comment at this time in the meeting.

The Board agreed.

PUBLIC COMMENT

Mark Hounsell appeared before the Board to express his sadness over the demolition of the old Valley Jewelers building.

Mr. Hounsell stated that in his opinion after speaking with Planner Jamel Torres, he believes that the Town staff did everything correct according to the established procedures, however, he stated that these procedures needed to change in order to protect the historical buildings in Town.

Mr. Hounsell explained that the Town's heritage is at risk.

Mr. Hounsell suggested that the Board institute a stop gap measure when it comes to the issuance of demo permits in order to show some respect for the buildings in Town and to allow those who may have concern, time to weigh in.

Mr. Hounsell added that he believed they were very fortunate to have the high level of persons on the Planning Board and thanked Mr. Porter for showing leadership.

Mr. Hounsell suggested that the Board vote to ensure that before a demolition permit is granted, the Selectmen be notified so that the public could have a chance to come forward if there was concern.

Mr. Hounsell expressed concern over other potential buildings such as the Methodist Church, that he would hate to see demolished.

Mr. Holmes noted that in Concord, they have an up 49 day waiting period before a demo permit is issued.

Mr. Holmes also suggested letting the public know about demolition permits on their Facebook page and website.

Mr. Porter stated that he liked Mr. Hounsell's idea. He added that as a member of the Historic District Commission, they were in the process of trying to get the historic buildings in Town identified and/or registered.

**Mr. Porter moved, seconded by Mr. Thibodeau, that in the event of the future demolition of buildings over 500 square feet, the Board of Selectmen shall be notified prior to the issuance of a demolition permit.**

Brian Wiggin, Vice President of the Historical Society and a member of the Historic District Commission, appeared before the Board.

Mr. Wiggin echoed what Mr. Hounsell said and emphasized that it was sad to see Conway Village so empty.

In defense of the Brown Church's decision to demo the building, Mr. Wiggin did note that they had sent a message to the congregation to let them know that it would be coming down due to the engineer's opinions that it was too far gone to be saved.

Mr. Wiggin stated that the Town needs to do whatever they can to help protect the remaining buildings of significance in Town.

There was a discussion regarding what date's the Historic Commission was considering to be historical.

Mr. Wiggin noted that they are currently using the cut off date of 1900 because of the sheer volume of old properties. However, he did believe that buildings could be historical and worth saving even after 1900.

Ken Rancourt, Chair of the Historic District Commission explained that because the commission is a totally volunteer committee, it is going to take some time to get all the buildings identified in Town.

**The motion carried unanimously.**

#### REVIEW OF RECEIPTS

The receipts were available for review.

#### SIGNING OF DOCUMENTS

- e. Warrant for Land Use Change Tax on Map/Lot 250-75
- f. Warrant for Land Use Change Tax on Map/Lot 263-71
- g. Warrant for Land Use Change Tax on Map/Lot 249-1
- h. Warrant for Land Use Change Tax on Map/Lot 250-74
- i. Municipality Land Use Change Tax Bill on Map/Lot 250-75
- j. Municipality Land Use Change Tax Bill on Map/Lot 263-71
- k. Municipality Land Use Change Tax Bill on Map/Lot 249-1
- l. Municipality Land Use Change Tax Bill on Map/Lot 250-74
- m. Abatement of Taxes on Map/Lot 219-33
- n. Abatement of Taxes on Map/Lot 262.86.28
- o. Abatement of Taxes on Map/Lot 262-86.26
- p. Abatement of Taxes on Map/Lot 268-41
- q. Abatement of Taxes on Map/Lot 218-9

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the documents listed above in a through m. The motion carried unanimously.**

#### CONSIDERATION OF BILLS

- a. AP Manifest dated 12/23/2021

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 12/23/2021. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 12/16/2021

**Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the AP Manifest dated 12/16/2021. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular Minutes from 12/14/2021

**Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the regular minutes from 12/14/21. The motion carried unanimously.**

Mr. Weathers explained that he had Ms. Day add the following sentence on page 3:

“He explained that they were requesting \$1,200 more this year due to work planned on the Marshall Property to blaze and paint boundary lines and improvements to the rec trail systems.”

TOWN MANAGER REPORT

Mr. Holmes noted that they had cleaned out the old sign shop and the Police Department would be using it for storage.

Mr. Holmes wanted to remind the public that the Transfer Station would be closed on Christmas Day and New Years Day.

He also wanted to remind people to show up at least 15 minutes prior to closing in order to make sure there is time to get in and take care of your trash.

Mr. Thibodeau added that he would request that individuals who are able to use the Transfer Station during the week to please do so to help with the heavy crowds that tend to come on Saturday and Sunday.

BOARD REPORTS AND COMMENTS

Mr. Colbath stated that the Budget Committee had met the previous week.

Mr. Colbath noted that at the last ZBA meeting, they had upheld an administrative decision regarding the property on which Tuckerman Brewing Company operates.

However, the ZBA granted a variance that would allow the owners to conduct their outdoor entertainment without having to obtain special event permits.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Tom Eastman from the Conway Daily Sun asked if the Town was aware of the proposed bill that would prohibit any Town's from banning short-term rentals.

Mr. Holmes noted that they were aware of it and felt that the wording was weak.

The Board sent a copy of the proposed short-term rental regulations that had been presented by the Short-Term Rental Committee to Senator Bradley for ideas on potential things that should be included in the bill such as life safety measures.

**At 5:17 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (D). The motion carried unanimously.**

NON-PUBLIC SESSION RSA 91-A:3 II(D) – CONSIDERATION OF ACQUISITION, SALE  
OR LEASE

**At 5:24 pm, the Board returned to public session.**

**Mr. Colbath moved, seconded by Thibodeau, to seal the minutes from this non-public session as divulgence of the information would render the proposed action ineffective. The motion carried unanimously.**

ADJOURN

At 5:24 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day  
Executive Secretary

