

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
August 30, 2016

The Selectmen's Meeting convened at 4:06 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Carl Thibodeau, John Colbath and Steven Porter, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell.

Selectman, Mary Carey Seavey, was not present due to a family emergency.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised two agenda items, items 4 and 13, are canceled. **Mr. Colbath moved, seconded by Mr. Porter, to approve the agenda as amended. The motion carried unanimously.**

REQUEST FOR AMENDMENT TO DRIVEWAY PERMIT – WES SMITH/THORNE  
SURVEYS AND BOB NELSON / 646 PEQUAWKET – MAP/LOT 278-48

This agenda item was canceled.

REQUEST FOR BOUNDARY LINE ADJUSTMENT BETWEEN THE TOWN  
AND NORTH CONWAY COMMUNITY CENTER

Attorney, Randall Cooper, appeared before the Board to request a boundary line adjustment between the Town of Conway and the North Conway Community Center.

Mr. Cooper reviewed a map of the properties (see attached). Mr. Cooper reviewed that the Town of Conway and North Conway Community Center each have ½ interests in the lots. The proposal is to clean up the titles and have the North Conway Community Center convey its one-half interest in lot A to the Town and that the Town of Conway convey its one-half interest in lots B and C to the North Conway Community Center. Mr. Cooper next stated he read a memo from David Hastings and, during a review of the records on the parcels, it was also found that there is a restriction on all of the parcels including the one by the North Conway Country Club and this should also be handled at this stage by a mutual release of the restrictions which is in regard to the stone wall and buildings on the parcels.

Mr. Cooper next requested that the Board of Selectmen move this matter forward to the Planning Board and Conservation Commission for comments. Once the recommendations are received back by this Board, the Board of Selectmen will also need to have two public hearings as well.

There was discussion by the Board. Mr. Weathers stated that "B" right now is used for parking and recreation uses and questioned what benefit is it to the town give away any control of B. Mr. Cooper stated that he couldn't say other than they want to clear up the boundaries. Mr. Cooper further added that Mr. Cargill had advised that at one time the town wanted to retain it for bathrooms, etc. Mr. Cooper next further reviewed the map of the properties with the

Board. There was further discussion of Lot B. Mr. Sires advised that the Board can choose not to do B today and this would be his recommendation. He doesn't see why we would want to get rid of control over the parking. This area also has trees on it and we have a utility box there as well. There has never been an issue or reason to change the current agreement and he recommends that we keep control over it. Further, this area is also important as a view shed.

There was further discussion of the lots. Mr. Porter stated that it makes sense to him to do A and C; however, it wouldn't be beneficial for the town to sign over parcel B. **Mr. Porter moved, seconded by Mr. Colbath, to forward to the Planning Board and the Conservation Commission for their respective comments, the proposal by the North Conway Community Center to convey its one-half (1/2) interest in Parcel A to the Town in exchange for the Town conveying its one-half (1/2) interest in Parcel C to the North Conway Community Center on the plan entitled "Minor Lot Line Adjustment", and mutual release of the Restriction and, upon receipt of those comments schedule two public hearings at least 10 days but not more than 14 days apart on the proposed exchange.** Mr. Colbath suggested there be more information in the motion regarding the map referenced. **Mr. Porter amended the motion, seconded by Mr. Colbath, to forward to the Planning Board and the Conservation Commission for their respective comments, the proposal by the North Conway Community Center to convey its one-half (1/2) interest in Parcel A to the Town in exchange for the Town conveying its one-half (1/2) interest in Parcel C to the North Conway Community Center on the plan entitled "Minor Lot Line Adjustment V1.01 dated 8/14/16 by Briggs Land Surveying", and mutual release of the restriction and, upon receipt of those comments schedule two public hearings at least 10 days but not more than 14 days apart on the proposed exchange. Motion carried unanimously.**

#### BUILDING CODE

Building Inspector, David Pandora, joined the meeting.

Mr. Sires reviewed proposed changes to Chapter 88 as presented to the Board of Selectmen. (See attached).

Mr. Thibodeau questioned if any of this is going to be applicable to residential. Mr. Pandora advised that the proposed changes are updates to the code numbers to match the particular code referenced. There was brief discussion regarding inspections. Mr. Thibodeau next questioned if we will be adding anything to the code that the building inspector goes out to sites prior to and post foundation pour. Mr. Sires reviewed that this Board did have discussion regarding this in the past, but there was no direction to staff. If this is something the Board wants done, we can add it to the code. Mr. Weathers stated he thought we were doing inspections. Mr. Sires advised we only do them if asked. Mr. Pandora advised that he does do a ride by on properties for locations of new buildings. There was further brief discussion by the Board. Mr. Sires stated the code could be strengthened by saying that someone can't start building unless an inspection is done. Mr. Colbath stated he agrees with this and feels there will be less problems if there is an inspection of the property. Mr. Thibodeau stated while he is not in favor of residential building inspections he feels that we do need to make sure a building is in the right location and within setbacks. There was further brief discussion. Mr. Sires advised that we could prepare code changes to authorize the site inspections. **Mr. Thibodeau moved, seconded by Mr. Porter, to include two site inspections in the residential building permit application - the foundation and property boundary are to be staked prior to laying or pouring a foundation and the second inspection after the foundation is laid or poured to verify it is where it was staked originally. The motion carried unanimously.**

**Mr. Thibodeau moved, seconded by Mr. Porter, to make the additions and deletions as presented to Chapter 88. The motion carried unanimously.**

NHMA LEGISLATIVE POLICY PROPOSALS

- a. Board of Selectmen Positions
- b. Appoint a delegate to attend the Legislative Policy Conference at NHMA on 9/23

Mr. Sires reviewed that this has been on the agenda a few times and, also, some staff input has been provided. At this time, he does not feel that this Board needs to take a position on all of the policies. If there are certain policies the Board would like to take a position on, we can review them. Mr. Sires next reviewed that there are a lot of proposed bills and laws and, at this time, we don't know where they are going until the legislature sits and that is when we should pay attention. Mr. Thibodeau stated he has seen dozens of these proposals and many times they don't go anywhere. He feels we should wait until they get to a bill on the floor. The Board agreed.

Mr. Weathers next questioned if anyone would like to attend the conference as the representative. Mr. Colbath suggested that Assessor, Tom Holmes, go to the conference. All agreed. Mr. Sires stated he would check with Mr. Holmes on this matter.

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Notice of Intent to Cut Wood or Timber Tax Map/Lot 268-179
- b. Timber Tax Levy Tax Map/Lot 252-60

Mr. Weathers requested to hold Item A so he can do a field inspection. **Mr. Colbath moved, seconded by Mr. Porter to sign the Timber Tax Levy for Tax Map/Lot 252-60 and to hold the Notice of Intent to Cut Wood or Timber for Tax Map/Lot 268-179. The motion carried unanimously.**

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest dated 9/1/16
- b. Payroll dated 9/1/16

**Mr. Thibodeau moved, seconded by Mr. Colbath, to sign the Accounts Payable Manifest dated 9/1/16 and Payroll dated 9/1/16. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

There were no documents signed out of session.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATIONS

There were no Special Event Permits for consideration.

CONSIDERATION OF MINUTES

Consideration of the minutes was carried to the next meeting.

TOWN MANAGER REPORT

Main Street Project – Mr. Sires reported that he is attending an informational meeting tonight at Conway Village Fire Distric regarding the West Main Street project.

Diana's Bath Parking – Mr. Sires reported the town has received a number of letters, including a petition type letter, regarding the parking in the area of Diana's Bath asking that the Board look at this issue.

Mr. Sires advised that staff has gone out and looked at this area. Mr. Sires next advised that he spoke with Ranger Innis today about the issue. Previously the Ranger advised the Park Service could do enforcement on the road but it turns out now that they can't do it on a state road. Further, the Ranger advised that he has a recreation planner who will be back from vacation this week and he will take a look at this matter. Thereafter, we will have a meeting to talk about possible remedies or approaches out there. Also, thereafter, there will be a public discussion as well. Mr. Sires next advised that he did also speak to Ranger Innis about the impact on the area and he did indicate that it is being impacted. He also advised that this is happening at Lower Falls and other areas as well.

Conway Pines Project – Mr. Weathers advised there is a Ribbon Cutting at the Conway Senior Pines project on September 12, 2026 at 2:30 pm and all are welcome. Mr. Sires advised the Town of Conway was actively involved in the financing for this program.

Library Roof – Mr. Sires reviewed that there was discussion regarding the library roof at the last meeting. Mr. DegliAngeli has also met with the Trustees regarding the roof. The Trustees are now thinking of doing the front of the building with flat seams

Household Hazardous Waste Day- Mr. Sires reported Household Hazardous Waste Day is scheduled for September 17, 2016 from 8:00 am to 11:30 am. at the Transfer Station.

Historic District Commission – Mr. Sires reported that Mr. Hounsell withdrew his resignation from the Historic District Commission and has taken his oath of office.

Governor and Council Meeting – Mr. Sires reported that on September 7, 2016 a Governor and Council meeting will be held at the North Conway Community Center. Awards will be given out to some local folks who have done things to benefit the community.

North Country Council – Mr. Sires reported he attended a North Country Council Board of Directors meeting recently. There was a presentation regarding landfills.

NHEC – Mr. Sires reported that he is meeting with Bill Johnstone of NHEC on September 1, 2016 to talk about an LED re-lamping project in North Conway.

Non Precinct Fire Agreement – Mr. Sires reported that a meeting regarding the Non Precinct Fire Agreement is scheduled for Thursday, September 1, 2016 at 5:00 pm.

Tri County CAP – Mr. Sires reported he is meeting with Robert Boschen of Tri County Cap on Friday.

CDBG – Mr. Sires reported he will be attending a CDBG meeting on September 8, 2016.

RFP – Mr. Sires reported the Town is putting out an RFP for ambulance services and a notice will appear in the newspaper over the weekend.

#### BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported that the Planning Board met last night. They conditionally approved construction of two buildings. One will be a Michael's and the other is potentially a restaurant franchise. They are hoping to start building in the spring. The location is off of the empty leg of a roundabout on North-South Road.

Mr. Porter next reported that the Planning Board received a resignation from member, Martha Tobin. She has decided to move out of State. Ms. Tobin was a big asset on the Planning Board. Mr. Colbath commented that Ms. Tobin was also an alternate on the ZBA.

Next Meeting – Mr. Weathers reviewed there is no meeting of this Board for two weeks. The next meeting is scheduled for September 20, 2016.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun asked how to define an area at the Airport. Mr. Thibodeau reviewed information with Mr. Steer.

#### SCHEDULE FOR ELECTION DAY

Mr. Weathers asked the Board for a schedule to be at the polls on Election Day, 9/13/16. Mr. Weathers stated he would be at the polls in the morning until noon; Mr. Porter stated he would be there in the morning. Mr. Colbath stated he will be there from Noon to 7:00 pm. The Board reviewed that Ms. Seavey is usually at the polls during the afternoon until closing.

#### NON PUBLIC SESSION / NH RSA 91-A:3,II(c) – TAX MATTERS

At 5:09 pm, **Mr. Colbath moved, seconded by Mr. Porter, to go into non public session under NH RSA 91-A:3,II(c) to discuss tax matters.** The non public session included Town Manager, Earl Sires, Tax Collector, Rhoda Quint, Tax Assessor, Tom Holmes, Recording Secretary, Karen Hollowell, and several property owners. **The motion carried by unanimous roll call vote.**

At 6:51 pm, the Board returned to public session.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes of the non public session. The motion carried unanimously.**

#### SIGNING OF TAX DEEDS AND DEED WAIVERS

**Mr. Thibodeau, moved, seconded by Mr. Colbath, to sign nineteen deed waivers for Tax Map/Lots 283-32, 262-83.067, 217-22.008, 290-28, 235-6.023, 247-68, 276-099, 276-100, 254-029.112, 279-17, 261-27, 290-40, 215-68.007, 202-64.004, 262-83.293, 279-16, 272-49.003, 262-79.006, 262-83.201 and six tax deeds for Tax Map/Lots 225-20.002, 277-38, 251-023, 275-18.118, 276-227 and 277-104. The motion carried unanimously.**

ADJOURN

At 6:57 pm, **Mr. Porter moved, seconded by Mr. Colbath, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J Hallowell  
Executive Secretary