

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
June 18, 2013

The Selectmen's Meeting convened at 4:18 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Mary Carey Seavey, and Carl Thibodeau, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell.

Selectman, Stacy Sand, was not present due to illness.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

A revised agenda was distributed and reviewed by the Board. **Mr. DiGregorio moved, seconded by Ms. Seavey to approve the revised agenda. The motion carried unanimously.**

PUBLIC HEARINGS/COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

Grant Coordinator, Donna Lane, was present for discussion. Also present was Chris Davies of Great Bridge Properties.

Informational packets for this public hearing were available for the public.

**a. A proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant Housing Funds. The CDBG funds will be subgranted to Great Bridge Properties, LLC or an affiliate, for sitework in support of 30 units of affordable senior housing on Poliquin Drive in Conway (Conway Pines Housing). The town will retain up to \$25,000 for administrative costs.**

Chairman Weathers opened the public hearing at 4:19 p.m.

Donna Lane reviewed that Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority (CDFA). Up to \$500,000 annually is available for economic development, up to \$500,000 for public facility and housing projects, and up to \$350,000 for emergency activities. Up to \$12,000 is available per feasibility study grants. All projects must directly benefit a majority of low and moderate income persons.

The purpose of this first public hearing is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant Housing Funds. The CDBG funds will be subgranted to Great Bridge Properties, LLC or an affiliate, for sitework in support of 30 units of affordable senior housing on Poliquin Drive in Conway (Conway Pines Housing). The town will retain up to \$25,000 for administrative costs.

This project conforms with Conway's Housing and Community Development Plan's Goal of: Housing – Encourage safe, decent, attractive and affordable housing for all segments of the population. (Short-term and Long-term Goal)

Chairman Weathers asked for public comments or questions. William Marvel questioned what sort of subsidies and tax breaks, state and/or federal, this project will get. Donna Lane advised this grant application is for site work. Other grants applied for are through New Hampshire Housing Finance Authority. Mr. Marvel asked about property taxes. Mr. Davies advised that they will pay a formula that is set by state law.

There being no further questions or comments, Chairman Weathers closed the public hearing at 4:20 p.m.

#### **b. The Housing and Community Development Plan**

Chairman Weathers opened the public hearing at 4:20 p.m.

Ms. Lane reviewed that Conway has a Housing and Community Development Plan. No changes to the plan are proposed at this time. This project conforms with the Goals of: Housing – Encourage safe, decent, attractive and affordable housing for all segments of the population. (Short-term and Long-term Goal)

Chairman Weathers asked for public comments or questions. There being no questions or comments, Chairman Weathers closed the public hearing at 4:21 p.m.

#### **c. The Residential Antidisplacement and Relocation Assistance Plan**

Chairman Weathers opened the public hearing at 4:22 p.m.

Ms. Lane reviewed that, in general, if the Town were to undertake a CDBG project which involved displacement and resulting relocation they would follow the Uniform Relocation Act requirements. The Residential Antidisplacement and Relocation Assistance Plan outlines the measures they would take to find comparable, housing for persons (or businesses) displaced and/or relocated.

Chairman Weathers asked for public comments or questions. There being no questions or comments, Chairman Weathers closed the public hearing at 4:23 p.m.

**Mr. DiGregorio, moved, seconded by Ms. Seavey, to re-adopt the Housing and Community Development Plan. The motion carried unanimously.**

**Mr. DiGregorio moved, seconded by Ms. Seavey, to adopt the Residential Antidisplacement and Relocation Assistance Plan. The motion carried unanimously.**

**Mr. Thibodeau moved, seconded by Mr. DiGregorio, to approve the submittal of the application and vote to authorize the Chairman of the Board of Selectmen to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the Chairman of the Board of Selectmen to execute any documents which may be necessary to effectuate the CDBG contract. The motion carried unanimously.**

Mr. Davies next briefly reviewed drawings of the project with the Board.

#### **CONSIDERATION OF UNANTICIPATED REVENUE LESS THAN \$5,000/RSA 31:95-B, III (B)**

a. \$1,605.98 to the Town of Conway from the State of New Hampshire for the Conway Police Department "Operation Safe Commute", and

b. \$100.00 Donation to the DARE program of the Conway Police Department from Phil Murray

Police Lieutenant, Chris Perley, joined the meeting. Lt. Perley first reviewed a donation of \$100 received from Phil Murray to the Conway Police Department DARE program. **Ms. Seavey moved, seconded by Mr. DiGregorio, to accept \$100 Donation to the DARE program of the Conway Police Department from Phil Murray. The motion carried unanimously.**

Lt. Perley next reviewed the Town of Conway Police Department received a grant in the amount of \$1,605.98 for "Operation Safe Commute". Lt. Perley gave a brief overview of "Operation Safe Commute" to the Board. **Ms. Seavey moved, seconded by Mr. DiGregorio, to accept the \$1,605.98 from the State of New Hampshire for the Conway Police Department "Operation Safe Commute". The motion carried unanimously.**

#### DISCUSSION OF GREENWOOD AVENUE PARKING

Library Trustees, Mark Hounsell and William Marvel, appeared before the Board.

Mr. Hounsell advised that the Library Trustees took a vote to ask the Board of Selectmen to designate Greenwood Avenue in Conway as Library parking only. Mr. Hounsell next stated that parking has been a longtime problem at the Library. There have been discussions to construct parking over the years and just recently they discussed a 20 space parking lot but there are concerns by the Trustees regarding this project such as lighting, costs, neighborhood objections, etc. Mr. Hounsell next reviewed that currently there is a two hour parking limit on Greenwood Avenue but this is not enforced and people park there all day. There are twelve parking spaces available and if they could be set aside for the library he feels this would ease the parking problem for the library.

There was discussion by the Board regarding parking spaces, time limit parking, medical center parking, employee parking, offsite parking, etc. Mr. Thibodeau reviewed parking areas that he owns in Conway Village and stated that he would be willing to allow a piece of the parking lot at the old A&P building to be used for library employee parking and would be willing to meet with the Trustees to discuss same. Mr. Hounsell and Mr. Marvel agreed to have conversation regarding this suggestion.

#### DISCUSSION OF BUILDING PERMIT RESTRICTION – RICHARD CARRUTHERS

Richard Carruthers joined the meeting.

Mr. Sires reviewed this is a discussion from two weeks ago regarding Mr. Carruthers' request to the Board to lift a building restriction on a lot he purchased. Mr. Carruthers bought the lot with the restriction at a tax sale several years ago and then he combined it with his lot. The smaller lot that he purchased at the town tax sale is the lot with the building restriction. Mr. Sires next reviewed that this Board asked staff to check with town counsel to see if they could lift the building restriction on the deed. The attorney response was that he felt that the restrictions could be enforced on that one lot but that also this Board, as the entity who placed the restrictions, could lift the restriction if they so choose. Mr. DiGregorio asked about lot size, etc. Mr. Carruthers advised the combined lots are over one acre. Mr. DiGregorio questioned if Mr. Carruthers is asking for this as he feels it may be easier to bring the property up to code, etc. Mr. Carruthers responded in the affirmative. Mr. Sires further explained that if this Board lifts the restriction, it would allow Mr. Carruthers next to go forward with the next steps such as seeking ZBA approval, etc. Mr. Carruthers further reviewed his lot, building, etc. Mr. Sires

further clarified that this is an attempt by Mr. Carruthers to solve his problem but, if the worst case scenario happens and he can't build on the lot, then no one else can either. Mr. Carruthers next stated that if the ZBA denies his request, he will then be taking the buyout.

The Board next held further brief discussion on the building restriction. The Board again reviewed that if they do lift the restriction and Mr. Carruthers can't build on the lot then no one else can build on the lot either. Mr. Sires further reviewed that this is a unique situation and, also, this is the primary residence for Mr. Carruthers. Mr. Carruthers again stated that if he fails at the ZBA, then he is in the buyout program.

**Mr. Thibodeau moved, seconded by Ms. Seavey, to instruct Town Counsel to carry out procedures necessary to lift this restriction on Tax Map/Lot 51-137. The motion carried 4-0-0.**

### SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 219-82
- b. Abatement Tax Map/Lot 272-30
- c. Abatement Tax Map/Lot 276-148
- d. Notice to Intent to Cut Wood or Timber Tax Map/Lot 234-7
- e. Notice of Intent to Cut Wood or Timber Tax Map/Lot 240-9
- f. Notice of Intent to Cut Wood or Timber Tax Map/Lot 259-21
- g. Notice of Intent to Cut Wood or Timber Tax Map/Lot 259-106
- h. Permit to Sell Raffle Tickets – MWV Old Car Club – Drawings every other Monday 6/24/13 through 8/26/13
- i. Permit to Sell Raffle Tickets – American Legion/Ralph W. Shirley Post 46 – Drawings 7/5/13, 7/26/13, 8/2/13, 8/23/13, 9/6/13 and 9/27/13
- j. Permit to Sell Raffle Tickets – MWV Old Car Club – Drawing 9/8/13
- k. Permit to Sell Raffle Tickets – MWV Arts Jubilee – Drawings 7/11/13, 7/18/13, 7/25/13, 8/1/13 and 8/8/13
- l. Notice of Intent to Cut Wood or Timber Tax Maps/Lots 226-3 &6, 223-15
- m. Habitat for Humanity – Non Profit Advertising Permit
- n. Conway Village Flag Committee – Seasonal Decoration Permit

**Mr. DiGregorio moved, seconded by Mr. Thibodeau, to approve and sign the Abatement Tax Map/Lot 219-82; Abatement Tax Map/Lot 272-30, Abatement Tax Map/Lot 276-148; Notice to Intent to Cut Wood or Timber Tax Map/Lot 234-7; Notice of Intent to Cut Wood or Timber Tax Map/Lot 240-9; Notice of Intent to Cut Wood or Timber Tax Map/Lot 259-21; Notice of Intent to Cut Wood or Timber Tax Map/Lot 259-106; Permit to Sell Raffle Tickets for the MWV Old Car Club Drawings every other Monday 6/24/13 through 8/26/13; Permit to Sell Raffle Tickets for the American Legion/Ralph W. Shirley Post 46, Drawings 7/5/13, 7/26/13, 8/2/13, 8/23/13, 9/6/13 and 9/27/13; Permit to Sell Raffle Tickets by the MWV Old Car Club, Drawing 9/8/13; Permit to Sell Raffle Tickets by the MWV Arts Jubilee, Drawings 7/11/13, 7/18/13, 7/25/13, 8/1/13 and 8/8/13; and, a Notice of Intent to Cut Wood or Timber Tax Maps/Lots 226-3 &6, 223-15. The motion carried unanimously.**

Art Boyson from the MWV Habitat for Humanity was present to discuss the permit requested for the Non Profit Advertising. Mr. Sires explained this permit request is for thermometers used for fundraising. Habitat for Humanity would like to use one of the snowmen as a thermometer. The snowman will start off white and then will be painted as funds are raised. Mr. Boyson explained that they will have 12 locations for the snowman. They will leave the snowman for two weeks at each location and when finished will take it down and then

ask for another permit next year. **Mr. DiGregorio moved, seconded by Mr. Thibodeau, to sign the Non Profit Advertising Permit Mount Washington Valley Habitat for Humanity. The motion carried unanimously.**

Amy Snow of the Conway Village Flag Committee joined the meeting. Ms. Snow advised the Conway Village Flag Committee is an ad hoc committee who wants to put American Flags up in Conway Village.

Mr. Sires reviewed that PSNH will only issue a permit to a municipal entity. Ms. Snow and her group have arranged to have flags put up on the poles.

Ms. Snow next requested that the Board waive the permitting fee as she feels this benefits the town. The flags will be up before the Fourth of July parade.

There was a brief discussion on the time frame for the permit. It was agreed that the permit would be from 6/22/13 through 11/18/13.

Mr. Sires next advised that the permit requires a group putting up flags to have liability insurance. Ms. Snow asked that this be under the town's liability insurance. Also, our EMD, Chief Solomon, will be putting up the flags. Mr. Sires advised that we can put this under the town insurance.

**Mr. Thibodeau moved, seconded by Mr. DiGregorio, to waive the liability insurance requirement and waive the permitting fee and, also, approve the Seasonal Decoration Permit for the Conway Village Flag Committee for 6/22/13 through 11/18/13. The motion carried unanimously.**

The Board thanked Ms. Snow.

#### CONSIDERATION OF BILLS

- a. Manifest (#2) dated 6/13/13
- b. Manifest dated 6/20/13

**Mr. DiGregorio moved, seconded by Ms. Seavey to approve and sign the manifest (#2) dated 6/13/13 and the manifest dated 6/20/13. The motion carried unanimously.**

#### RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Manifest dated 6/13/13
- b. Payroll dated 6/13/13

**Mr. DiGregorio moved, seconded by Ms. Seavey to approve and sign the manifest dated 6/13/13 and the payroll dated 6/13/13. The motion carried unanimously.**

#### REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Monday Night Cruise Night/MWV Old Car Club/Monday nights 6/24/13 – 8/26/13
- b. Friday Night Entertainment under the Tent/American Legion/Friday nights 6/21/13 – 9/27/13
- c. American Legion Campout Weekend and Fundraiser/American Legion – 7/19/13-7/21/13
- d. MWV 23<sup>rd</sup> Annual Car Show/MWV Old Car Club - 9/8/13 (Pending Insurance

Certificate)

- e. North Conway Community Center – Amendment to Farmer's Market Permit for rain date

Mr. Sires reported that the North Conway Community Center has requested to amend their permit for the Farmer's Market as they would like rain dates for Mondays if they need it. We have asked the North Conway Community Center to notify police and fire regarding this request as well. If this Board approves of the North Conway Community center having rain dates, then we should make it contingent on police and fire department notification.

**Mr. DiGregorio moved, seconded by Ms. Seavey, to approve the Monday Night Cruise Night/MWV Old Car Club/Monday nights 6/24/13 – 8/26/13; Friday Night Entertainment under the Tent/American Legion/Friday nights 6/21/13 – 9/27/13; American Legion Campout Weekend and Fundraiser/American Legion – 7/19/13-7/21/13; and the MWV 23<sup>rd</sup> Annual Car Show/MWV Old Car Club - 9/8/13 pending receipt of the insurance certificate. The motion carried unanimously.**

**Mr. DiGregorio moved, seconded by Ms. Seavey, to approve the amendment to the North Conway Community Center special event permit for the Farmer's Market pending police and fire department notification. The motion carried unanimously.**

#### CONSIDERATION OF MINUTES

6/4/13 - **Mr. Thibodeau moved, seconded by Mr. DiGregorio to approve the minutes of 6/4/13 as written. The motion carried 3-0-1 with Ms. Seavey abstaining.**

#### TOWN MANAGER REPORT

250<sup>th</sup> Anniversary Ccommittee – Mr. Sires reported that he attended a meeting of the 250<sup>th</sup> Anniversary Committee last evening. The Committee is working on events for a yearlong celebration. Mr. Sires advised that he proposed that town staff would be involved with four events throughout that year including New Year's Eve 2014 fireworks, winter carnival during vacation week, a weeklong series of events Fourth of July week, and then a dedication ceremony at a town site on October 1 which is the actual day of incorporation. Mr. Sires stated that if the Board is okay with this we will move forward. Mr. Sires next advised that the 250<sup>th</sup> Committee will also be coming to this Board in the future to have discussion as well. Ms. Seavey suggested also including the Christmas Parade along with the Celebration Committee. Mr. Thibodeau stated that at the Conway Marketplace there used to be a wooden sign up of Henry Seymour Conway. Mr. Thibodeau advised that he still has the sign and the Town can have it if they would like.

Selectman, Mike DiGregorio, left the meeting at 5:15 p.m.

Transvale – Mr. Sires reported that real estate closings are scheduled for Friday, June 21, 2013, on a few Transvale properties in the buyout program.

Posting Agendas – Mr. Sires noted there were a few revisions to the agenda this week. Mr. Sires further stated that if staff is unavailable to post the agenda on Friday, we would like to wait until Monday to post instead of the previous Thursday as things may come up. The Board agreed.

Review – Mr. Sires reported that his review is coming up in August.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Thibodeau reported on decisions made at the Planning Board meeting held on June 13, 2013.

ESAA – Mr. Thibodeau reported the ESAA met last Tuesday evening. Mr. Thibodeau further advised they are now pumping jet fuel at the airport. Also, they are moving forward with the construction of taxiways at the airport.

Conservation Commission – Mr. Weathers reported the Conservation Commission met last Wednesday and gave a brief overview of the discussions held. Mr. Weathers next advised that there will not be a Conservation Commission in July.

PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

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

At 5:25 pm, **Mr. Thibodeau moved, seconded by Ms. Seavey, 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, Town Clerk, Rhoda Quint, Recording Secretary, Karen Hallowell, and property owners. **The motion carried by unanimously roll call vote.**

The Board returned to public session at 5:58 p.m.

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

NON PUBLIC SESSION / NH RSA 91-A:3,II(c) - REVIEW OF A PROPOSED AGREEMENT FOR PROPERTY OWNER

At 5:58 pm, **Ms. Seavey moved, seconded by Mr. Thibodeau, to go into non public session under NH RSA 91-A:3,II(c) to discuss a proposed agreement with a property owner.** The non public session included Town Manager, Earl Sires, Recording Secretary, Karen Hallowell, and Mark Hounsell representing a property owner. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:12 p.m.

**Mr. Thibodeau moved, seconded by Ms. Seavey, to seal the minutes of this non public session. The motion carried by unanimous roll call vote.**

ADJOURN

At 6:13 p.m. the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell  
Executive Secretary