

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
September 24, 2019

The Selectmen's Meeting convened at 4:05 pm in the Marshall Gymnasium at Conway Recreation Center with the following present: C. David Weathers, Carl Thibodeau, John Colbath (arrive during the Public Hearing), 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.

PUBLIC HEARING ON SHORT TERM RENTALS

Mr. Weathers opened the public hearing at 4:05 pm.

Mr. Holmes read the following statement:

The Town of Conway has been a summer resort and a ski resort for decades. Non-residents have always owned second homes here. And there has always been some level of short-term rentals here as well. Whether it was using a "friend's place" for a ski weekend or renting a place on Conway Lake for a week, Conway has never attempted to regulate a residential property based on length of stay. And, prior to the internet, it never seemed to be a problem.

When the internet made it possible to submit properties for rent on popular websites, the number of properties available to rent in Conway on a short-term basis exploded exponentially. Where there once may have been few properties available for short term rental, there are now hundreds.

Even so, as little as four years ago, the number of properties that were generating repeated complaints to townhall were only a small percentage of the total. There was a notable few who were repeatedly disrespecting the rights of their neighbor's to peaceful and quiet enjoyment of their own year-round properties.

So, our initial effort, which is still on-going, was to be able to address these "disorderly households" by being able to reach beyond the tenants who may be causing the disruptions and to fine the owners of these properties for their lack of oversight and poor management. This effort is going into its third year because it has been consistently opposed by the real estate lobby and the short-term rental industry.

In these past three years, the numbers of these properties have grown faster than anyone, including the Department of Revenue rooms and meals tax collection, have been able to keep up with.

In just a few short years, other issues have come to the fore such as overcrowding of homes and condo units, parking spilling out onto the streets, the lack of available rental stock for our workforce, the reduction in resident owned properties and, insofar as the

town government goes, illegal curb cuts and, illegal trash dumping at our public parks. It has brought up the possibility of the need for life safety inspections.

We are here tonight because the Board of Selectmen have recognized that the issue is broadly impacting the town as a whole and they would like the public's input, from all sides, before deciding how to regulate this industry and to what extent. We anticipate many issues will be presented and many different points of view to be brought forth. We would ask that everyone be respectful of each other. We are here to listen and will be grateful for your input and guidance.

Chief Solomon from the Conway Fire Department spoke in favor of regulations noting the importance of life safety. He also noted issues with septic systems, noise, and inappropriate residential use.

Many residents spoke both in favor and opposition of short-term rentals.

Those who spoke in opposition cited issues such as potential zoning violations, noise, parking problems, the disintegration of traditional neighborhoods, and the overburdening of septic systems. Also mentioned were issues pertaining to life safety as many short-term rentals were being advertised to sleep many more people than might be considered safe for their size.

Many spoke in favor of the tourism that short term rentals have brought to the area, however, their concerns had to do with lack of regulations. One resident was also concerned that some owners may not be paying the proper rooms and meals tax to the state.

Many residents stated that because many of these properties are owned and managed by people out of state, issues regarding the lack of control and oversight arise, specifically when it comes to noise.

Some members of the public who spoke in opposition also cited problems in regards to lack of long-term housing for those who are trying to work in the area due to the sheer volume of short-term rental properties.

Those who spoke in favor of short-term rentals supported their views stating their concerns about property rights and pointing to benefits such as their impact on the local economy and tourism. They also noted that many of these short-term rentals are used by the owners for part of the year so they could never be used as long term rental properties for the workforce. Increased jobs created by the need for maintenance of these properties was also noted.

Many who spoke in favor of short-term rentals did note that that some level of regulation would probably be a good idea.

One short-term rental owner noted that he thought the police should do a better job informing the property owners of issues that occur on their properties.

Possible solutions to the many issues stated above included short-term rental registration, licensing, inspections, fines for the property owners, local property management. Many noted that increased regulations would necessitate the need for a new town position to be created in order to handle the volume of the work.

Many members of the audience stated that they would volunteer their time to serve on a committee to help find a solution.

Representative Ed Butler spoke explaining that they were working at the legislative level on issues regarding short term rentals. He did note that they are working on the disorderly household bill that would hopefully allow towns to have the option and ability to fine the property owners for repeated disturbances in addition to tenants.

Mr. Weathers closed the public hearing at 5:50 pm.

APPROVAL OF AGENDA

Mr. Weathers stated that they would be removing agenda item #5, Request for Second Curb Cut on Map/Lot 245-40.

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

APPOINTMENT OF UNION NEGOTIATION TEAM

Mr. Holmes explained that the Union had sent them a letter stating that they would like to open up negotiations and the Town needs a Selectman's representative for the negotiation team. Mr. Holmes stated that the team would be comprised of himself and Paul Degliangeli and whomever the Selectmen chose as their representative.

Mr. Colbath moved, seconded by Mr. Porter, to appoint Mr. Weathers to the union negotiation team. The motion carried (3-0-1) with Mr. Weathers abstaining.

APPROVAL OF NON-PROFIT BUDGET FORM ALTERATIONS

Mr. Holmes stated that the Budget Committee had reviewed the proposed changes to the non-profit budget form that had been proposed by Chairman LeFebvre and were in favor.

Mr. Thibodeau asked if they had made any changes to the form. It was determined that there had been no changes since it was reviewed during the last meeting.

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve the changes made to the non-profit budget form. The motion carried unanimously.

DISCUSSION AND SIGNING OF PRIMEX CONTRACT LOCK-IN OFFERS

- a. Workers' Compensation Contribution Assurance Program
- b. Property and Liability Contribution Assurance Program

Mrs. Gilligan explained that these were our insurance company's offer to lock in on insurance coverage.

Mr. Thibodeau wanted to confirm that due diligence had been done on these offers. Mrs. Gilligan stated that it had, and that it just gives Primex stability in knowing who their customers are for a period of time in order to help keep rates low.

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the documents listed about in a. and b. The motion carried unanimously.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Signing of the MS-1

Mr. Holmes explained that the MS-1 allows the tax rate to be set for the Town by the DRA and that the Assessor has completed the revaluation.

He noted that there was currently an impasse at the legislative level and until the budget issue is solved, the DRA is not sure they can set the tax rate.

Mr. Thibodeau moved, seconded by Mr. Colbath, to sign the MS-1. The motion carried unanimously.

- b. Request to the Trustees of the Trust for \$27,965.00 from the Capital Reserve Fund for Police Vehicles
- c. Request to the Trustees of the Trust for \$9,339.73 from the PEG Cable Television Trust Fund
- d. Permit to Sell Raffle Tickets for MWV Supports Recovery on 11/28/19
- e. Permit to Sell Raffle Tickets for White Mt. Waldorf School on 11/16/19

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

Mr. Colbath noted that the Trustees do a commendable job.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest dated 9/26/19
- b. Payroll dated 9/26/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the items listed above in a. and b. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 9/19/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the document listed above. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Conway Village Fire Precinct Cookout on 10/13/19
- b. White Mt. Waldorf Winter Craft Faire on 11/16/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the items listed above in a. and b. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular 9/10/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes from 9/10/19 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes noted that SAU 9 had altered their school calendar to accommodate the presumed February 11, 2020 presidential primary date so that voting can take place at the high school.

Mr. Holmes noted that they were unsuccessful in figuring out the issues with the phones at the rec center and they would be getting new phone numbers.

Mr. Holmes explained that NH Electric Co-op would be installing LED lights in North Conway after Columbus Day.

Mr. Holmes stated that the Bank of New Hampshire had sent a letter to their depositors announcing their move.

Mr. Holmes gave the Board his request for a review and his report on his previous goals.

BOARD REPORTS AND COMMENTS

Mr. Porter stated that there would be a Planning Board meeting on Thursday, September 26, 2019.

Mr. Colbath explained that the Budget Committee had met and had a presentation from the DRA. They also approved the edited non-profit budget form.

Mr. Colbath noted that the ZBA had met and would be meeting again on October 16, 2019.

Mr. Thibodeau reported that Sky Dive New England had a successful time utilizing the Eastern Slope Airport. He also noted that the man who had stopped at the airport on his gyrocopter had successfully completed his mission of flying solo and had returned home.

Mr. Weathers stated that they LMWVSD had met. There had been discussion regarding the possibility of adding a second hazardous waste day which would likely increase the cost from \$10,000 to \$18,000. However, he noted that it appeared that numbers were down for participation this year.

Mr. Weathers noted that the Conservation Commission would be meeting in October.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun asked what they would be doing about the short-term rental issue. Mr. Holmes stated that they had just heard all of the input from the public and they need time to digest what they heard.

Mr. Steer asked about the progress on the stage for the rec center. Mr. Colbath explained that members feel that it can be accomplished through private contributions and the effort was ongoing.

ADJOURN

At 6:10 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary

