

## Conway Planning Board - Non-public Meeting Minutes – February 1, 2024

Date: February 1, 2024

**Motion to enter Nonpublic Session made by:** Ms. Byers

Seconded: Mr. Hounsell

Statutory Reason: RSA 91-A:3.II(1), Consideration of Legal Advice

Roll Call Vote: Hounsell – Yes; Corbett – Yes; Byers –Yes; Porter – Yes; Grant –Yes; Barbin – Yes ; and Colbath – Yes. Motion carried unanimously.

**Entered Nonpublic Session**

Time: 7:06

**Others present during Nonpublic Session:** Jason Dennis, Town Counsel; Paul DegliAngeli, Deputy Town Manager; and Ryan O’Connor, Town Planner.

**Description of matter discussed:**

The Planning Board had a general discussion with Town Council, Jason Dennis on the legal issues of the petitioned warrant article to define and limit short-term residential rentals. The discussion was focused on the implications of the proposed requirements to classify short-term rental properties as Residential Group R-1 in the building code.

Mr. Dennis reviewed relevant court cases with the Board highlighting issues with existing State Statute that would not allow the Town to treat short-term rentals differently than other types of residential structures.

Eliza Grant stated her concerns with the proposal citing specific issues raised by members of the State Building Code Review Board, that this would be considered a modification to the Code and unlikely to be supported by the State if the article was to pass.

Bill Barbin asked what the cost may be to litigate a potential case brought against the Town based on this petition. Mr. Dennis said that figure was difficult to estimate but would likely be in the range of twenty-thousand dollars.

Paul DegliAngeli, the Deputy Town Manager reiterated the concerns raised by Town Council and potential conflicts with the pending Rental Licensing program presented by the Board of Selectman.

**Motion to leave Nonpublic Session made by:** Ms. Byers

Seconded by: Ms. Grant

Roll Call Vote: Hounsell – Yes; Corbett – Yes; Byers –Yes; Porter – Yes; Grant –Yes; Barbin – Yes ; and Colbath – Yes. Motion carried unanimously.

**Public Session reconvened:**

Time: 7:43pm.

## Conway Planning Board - Non-public Meeting Minutes – February 1, 2024

**Motion made to seal the minutes made by:** Ms. Byers

Seconded: Mr. Corbet

Date of review within six months – July 11, 2024

Vote: Unanimous

Divulgence of this information would likely:

- Affect adversely the reputation of any person other than a member of the Board
- Render a proposed action ineffective.
- Pertains to preparation or carrying out of actions regarding terrorism.

Minutes recorded by:

Ryan O'Connor  
Town Planner