

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

April 3, 2012

The Selectmen's Meeting convened at 4:04 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Howard C. Dickinson, and Mary Carey Seavey; Town Manager, Earl W. Sires and Recording Secretary, Karen Hollowell.

Selectman, Lawrence Martin, was not in attendance.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised of one addition to the agenda under Signing of Documents the following will be added as item "0": Notice of Intent to Cut Wood or Timber for Tax Map/Lot 264-31 & 50. **Mr. DiGregorio moved, seconded by Mr. Seavey, to approve the agenda as amended. The motion carried 4-0-0.**

PUBLIC HEARING/COMMUNITY DEVELOPMENT
BLOCK GRANT/FEMA BUYOUT PROGRAM

This public hearing was canceled.

PUBLIC HEARING/TO DISCUSS A REQUEST FOR A BOUNDARY
LINE ADJUSTMENT BY THE NORTH CONWAY COMMUNITY CENTER

Mr. Weathers reviewed this is the first of two public hearings scheduled on a request for a boundary line adjustment by the North Conway Community Center (NCCC). The second public hearing is scheduled for April 17, 2012. Mr. Weathers next read aloud the public hearing notice as posted and opened the public hearing at 4:07 p.m.

Mr. Weathers asked for public comments. Carol Westervelt stated she felt this was a good idea. The NCCC is in dire need of expansion and she does not think this would be a detriment to the town for this to be done.

Kim Perkins advised that he is the former Director of the NCCC. He is not here speaking for the NCCC, but for himself as a taxpayer on this matter. Mr. Perkins stated years ago there were people who had a committee to look at restrooms and there were many suggestions of where to put them. Mr. Perkins stated he feels the Town of Conway should give the tract of land to the NCCC and, also, have restrooms at Whitaker Woods. Mr. Perkins further discussed restrooms and previous discussion that were held. Mr. Perkins next stated that Ryan Sommer of the NCCC has advised that restrooms will be open from 9:00 am to 9:00 pm at the NCCC.

There were no further comments and the public hearing was closed at 4:12 p.m.

UPPER SACO VALLEY LAND TRUST (USVLT) STRATEGIC
CONSERVATION PLAN, PHASE I NATURAL RESOURCE INVENTORY

USVLT Board members, Larry Garland and Tom Gross, and USVLT Executive Director, William Abbott joined the meeting. Also present were Conservation Commission members, Paul Pinkham and Carol Lyman, and Town Forester, Don Johnson.

Mr. Abbott opened by stating there is a lot of information to explain and probably not enough time in this presentation today to answer all questions, but he would be happy to answer questions any time after this meeting as well.

Mr. Gross thanked the Board of Selectmen for their support of this project. Mr. Garland next distributed information to the Board on the Strategic Conservation Plan, Phase I Natural Resource Inventory and reviewed same. (A copy is attached is hereto). There was next a brief discussion with the Board.

DISCUSSION OF ACQUISITION BY CONSERVATION COMMISSION
OF NHDOT PARCEL ON NORTH-SOUTH ROAD

Mr. Sires reviewed the Town received a letter from the NHDOT regarding the state selling property along North-South Road. This was part of a right of way acquired for the construction of North-South Road. The parcel is approximately 11 acres and it is zoned residential/agricultural. The Board of Selectmen has asked what sort of use and development intensity could go on at this parcel. This parcel could have up to 48 units; however, there are a variety of constraints on the property, i.e., setbacks, units on dead end roads, topographical issues, etc. In general, some amount of units could be developed on the parcel. Mr. Sires next reviewed the Board of Selectmen had asked about the value and how did the State arrive at the offering price. The NHDOT stated they had an appraisal done on the parcel and they also talked with realtors. \$49,500 is the amount the NHDOT is asking for the parcel.

Mr. Sires next reviewed the Board of Selectmen sent information on this matter to the Conservation Commission to review. The Conservation Commission is present today to talk more about this with the Selectmen. Conservation Commission Chair, Paul Pinkham, stated the Conservation Commission looked at this matter and came up with an ambiguous decision to further discuss the matter. Mr. Pinkham further added they look at these opportunities for land and years ago they had come before this Board with recommendations on what/why to acquire. Mr. Pinkham further added that this lot meets their criteria and they want to talk about it further as they think it may be a good idea and don't want to overlook a prospect for a recreation trail. They are here today to see if the Board of Selectmen want to do this. Mr. Pinkham also noted the deadline to let the State know the town's intentions is coming up.

Mr. DiGregorio stated he doesn't see a tremendous amount of value to do anything with this lot. If you made connections through Amethyst Hill you would probably have to deal with some housing issues. Mr. Weathers stated to Mr. Pinkham that the Conservation Commission has 11 criteria when considering land. Mr. Pinkham replied in the affirmative and advised that this parcel hit 5 of the 11 criteria. Mr. Weathers stated that in regard to the adjacent properties, we don't know if we can get easements for recreation trails. There was next brief discussion of recreation trails.

Mr. Weathers next asked about the process for acquisition. Mr. Sires stated there may be several different processes and staff can do more research if the Board would like to move forward with the acquisition. William Abbott of the Upper Saco Valley Land Trust stated that

right now the trail ends at the end of Locust Lane. If the Town gets this property we can add another trail. Mr. Sires stated this could be looked at in the future, but right now access is at Locust Lane.

Mr. DiGregorio questioned if the town owns the land will it be available for public use. Mr. Pinkham responded in the affirmative.

Mr. Sires questioned if there was any direction to staff on this matter at this time. Mr. Weathers stated he would like to look at this one more time. He would also like to get public input on this matter.

Carol Westervelt stated that if you just go north of there you can see what has happened with development. There was brief discussion with the Board.

Mr. Sires advised we need to respond to the State by April 30, 2012.

CONSIDERATION OF PROPOSED CHANGES TO
CHAPTER 113/SOLID WASTE ORDINANCE

Mr. Sires reviewed the proposed changes to Chapter 113 of the Solid Waste Ordinance as follows: Establishing a fee for accepting railroad ties at the transfer station of \$150.00 per ton; Establishing a fee of \$5.00 for accepting up to three 35 gallon trash bags for non-residents at the transfer station; and, Closure of the "Dump Store.

Mr. DiGregorio moved, seconded by Ms. Seavey, to establish a fee for accepting railroad ties at the Conway Transfer Station at \$150.00 per ton. The motion carried 4-0-0.

Mr. DiGregorio moved, seconded by Ms. Seavey, to establish a fee of \$5 for accepting trash bags for non residents at the Conway Transfer Station. Mr. DiGregorio stated there would be no sticker and the person would just have to pay \$5 to accept a trash bag. Mr. Weathers questioned how does the attendant know that the person came from a residence in the Town of Conway. Mr. Sires and Mr. DiGregorio advised that it does not have to be from a residence in Conway. Mr. Weathers stated that he thought this was for people staying in the Town of Conway. Mr. Sires advised that is what it is intended for but we may also get people coming from other towns and this is to create a pressure relief valve when people do who show up. **The motion carried 4-0-0.**

Mr. DiGregorio moved, seconded by Ms. Seavey, that we temporarily close the dump store while the Lower Mount Washington Valley Solid Waste District committee reviews and makes some recommendations. Mr. Sires reported that he and Mr. Dickinson went to a meeting last night and there were a lot of suggestions made concerning the dump store. The committee is expecting the temporary closure and then will discuss some changes. Mr. Weathers questioned, if this motion passes, will the dump store be boarded up and a note be put on it that it is closed. Mr. Sires replied in the affirmative and advised that anything left at the store will be thrown away. Ms. Seavey questioned how long is it expected that the dump store will be closed. Mr. DiGregorio stated he thinks the committee will get back to this Board soon with ideas to discuss and we don't want to put a two week time frame on that yet. Mr. Weathers stated if this passes the way it is worded we can vote to open in up and we won't be restricted from further action. **The motion carried 4-0-0.**

Mr. Sires advised that we will get the word out that the dump store will be closed temporarily in a week to 10 days and to plan accordingly. The Board agreed.

ASSIGNMENTS FOR VOTING DAY

Mr. Weathers reviewed April 10, 2012 is voting day and the polls will open at 8:00 am and close at 7:00 pm. Mr. Weathers asked Board members for times they can be at the polls. Mr. DiGregorio advised he is a candidate for Selectmen this year and questioned if he can be take part. Mr. Weathers advised that he cannot touch the ballots. The Board next agreed to the following schedule for voting day: Mr. Weathers - 8:00 am to Noon; Mr. Dickinson – Noon to 4:00 pm; and Ms. Seavey – 4:00 pm until the polls close at 8:00 pm.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 263-1.16
- b. Application for Current Use - Tax Map/Lot 259-103
- c. Certification of Yield Taxes Assessed - Tax Map/Lot 259-24
- d. Notice of Intent to Cut Wood or Timber - Tax Map/Lot 226-1
- e. Notice of Intent to Cut Wood or Timber - Tax Map/Lot 257-10
- 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 291-10
- h. Notice of Intent to Excavate/2012-1013 - Tax Map/Lot 226-1
- i. Notice of Intent to Excavate/2011-2012/Supplemental – Tax Map/Lot 238-1
- j. Notice of Intent to Excavate/2012-2013 – Tax Map/Lot 238-1
- l. Permanent Application for Property Tax Credit/Exemptions - Tax Map/Lot 253-48
- m. Permanent Application for Property Tax Credit/Exemptions - Tax Map/Lot 276-20
- n. Timber Tax Levy - Tax Map/Lot 259-24
- o. Notice of Intent to Cut Wood or Timber for Tax Map/Lot 264-31 & 50

Mr. DiGregorio moved, seconded by Ms. Seavey, to sign the Abatement Tax Map/Lot 263-1.16, Certification of Yield Taxes Assessed - Tax Map/Lot 259-24, Notice of Intent to Cut Wood or Timber - Tax Map/Lot 226-1, Notice of Intent to Cut Wood or Timber - Tax Map/Lot 257-10, Notice of Intent to Cut Wood or Timber – Tax Map/Lot 259-21, Notice of Intent to Cut Wood or Timber – Tax Map/Lot 291-10, Notice of Intent to Excavate/2012-1013 – Tax Map/Lot 226-1, Notice of Intent to Excavate/2011-2012/Supplemental – Tax Map/Lot 238-1, Notice of Intent to Excavate/2012-2013 – Tax Map/Lot 238-1, Permanent Application for Property Tax Credit/Exemptions - Tax Map/Lot 253-48, Permanent Application for Property Tax Credit/Exemptions - Tax Map/Lot 276-20, Timber Tax Levy - Tax Map/Lot 259-24, and Notice of Intent to Cut Wood or Timber for Tax Map/Lot 264-31 & 50. The motion carried unanimously.

Mr. Dickinson moved, seconded by Ms. Seavey, to sign the Application for Current Use - Tax Map/Lot 259-103. The motion carried 3-0-1 with Ms. Seavey and Messrs. Dickinson and Weathers voting in the affirmative and Mr. DiGregorio abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. North Conway Daycare/Celebration of Young Children Parade/Norcross Circle – 5/2/12
- b. Mt Washington Radio & Gramophone/Mt Washington Radio & Local Home Show/Ham Arena/5-4 to 5-6-12
- c. Pine Tree School PTA/12th Annual Spring into Spring 5k/5-6-12
- d. Joyce Endee Productions/Craft Fairs/5-26 to 5-27-12 & 10-13 to 10-14-12

Ms. Seavey moved, seconded by Mr. DiGregorio, to approve the Special Event Applications for the North Conway Daycare Celebration of Young Children Parade schedule for 5/2/12; the Mt Washington Radio & Gramophone/Mt Washington Radio & Local Home Show scheduled for 5/4/12 through 5/6/12; the Pine Tree School PTA 12th Annual Spring into Spring 5k scheduled for 5/6/12; and the Joyce Endee Productions Craft Fairs scheduled for 5/26/12 to 5/27/12 and 10/13/12 to 10/14/12. The motion carried unanimously.

CONSIDERATION OF BILLS

The Agenda incorrectly stated Manifest dated 3/29/12 and was corrected to read Manifest dated 4/5/12 and Payroll dated 4/5/12.

- a. Manifest dated 4/5/12
- b. Payroll dated 4/5/12

Mr. DiGregorio moved, seconded by Ms. Seavey, to sign the manifest and payroll dated 4/5/12. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

There were no documents signed out of session.

CONSIDERATION OF MINUTES: 3/27/12

Consideration of the Minutes of 3/27/12 was carried to the next meeting.

TOWN MANAGER REPORT

Town Report – Mr. Sires reviewed the 2011 Conway Town Report is available at Town Hall and locations around town including, post offices, supermarkets, Libraries, Gibson Center and Webster's Country Store. Also, if anyone is not able to pick one up, they can also view the report on line or they can call town hall and have one mailed to them. Mr. Sires next reviewed the Town report contains town information from 2011 but it also has a yellow section in the back which is a voting guide to help people when they go to the polls on April 10, 2012. Mr. Sires reviewed there is a tear out sheet in the back of the book so you can review the articles and make your decisions ahead of time. Mr. Weathers pointed out the back page is helpful with the phone listings for various town departments and others. Mr. Sires next commented on the cover of the town report reviewing it is Jeff Locke from Conway as a pro baseball player.

Transvale – Mr. Sires advised that with regard to the buyout program, the state advised we need to get additional information from owners.

Mr. Sires next reported that with regard to enforcement efforts, we are now proceeding with enforcement actions and we may have court challenges regarding same in the future from landowners.

Saco River Access Committee – Mr. Sires reported the Saco River Access Committee met yesterday. There will be a written report on same in the near future. At this point there are no decisions yet. The North Conway Water Precinct (NCWP) property is on the west side of the bridge and the NCWP Board has prohibited any use for recreation or access to the river. The

use of the property on the other side has not been sorted out yet. The Town owns the area on the east side where the parking lot is located. Mr. Sires next stated that the message here is that we are still working on the access issue.

Dump Store Meeting – Mr. Sires advised there was a meeting last night to discuss the dump store. There were a lot of ideas discussed and they will be presented to the Board of Selectmen in the future. Mr. Dickinson commented the group was full of enthusiasm but there are no volunteers to take care of the dump store. Also, people at the meeting agreed there should be better signage about people hanging out at the dump store, etc.

PEG Access - Mr. Sires reported that he and Mike DiGregorio will be meeting with the Town of Madison on Monday to have discussion regarding PEG Access.

BOARD REPORTS AND COMMENTS

Farmers Market – Ms. Seavey stated that she received a phone call today asking for thoughts on a Farmers Market in Pequawket Park in Conway on Sundays in the summer. This would be local goods. Ms. Seavey asked what the Board thought about this. Mr. Weathers stated the Park belongs to the CVFD. There was brief discussion. Ms. Seavey will direct them to the CVFD.

Student Assembly – Mr. Dickinson advised that he received a call from John Skelton at the school asking him to attend an assembly for the students this Friday. Mr. Dickinson advised he will be bringing copies of the town report to the assembly to pass out.

Voting – Mr. DiGregorio pointed out that he may or may not be at the next meeting of the Board of Selectmen. However, he has enjoyed his time on the Board. Mr. DiGregorio next urged the public to get out and vote and participate in the process. Voting day is April 10, 2012. Mr. Dickinson reviewed that if someone is not going to be in town they can get an absentee ballot. Mr. Weathers also urged the public to please come out and vote.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Erik Eisele of the Conway Daily Sun questioned why the public hearing scheduled today for the Community Development Block Grant was canceled. Mr. Sires advised there is limited funding available this round and we will reapply in July.

ADJOURN

At 5:45 p.m. the meeting adjourned without objection at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary