

August 19, 2024

Conway Board of Selectmen
Town of Conway
23 Main Street
Conway, NH 03818

Dear Board of Selectmen,

The Planning Board Recreation Path Phase 2 Sub-committee seeks to identify, research and advise regarding questions and concerns from the Planning Board, community stakeholders and the public in a collaborative and transparent manner. We aim to ensure that this project is designed and constructed in a way that is consistent with Conway's Master Plan and public feedback.

The following quote from the updated Conway Master Plan is apt here:

"Recognizing that our natural beauty is our greatest asset, our commitment is to balance growth with the needs of the environment and the community."

It is our understanding that the grant funding for the Rec Path Phase 2, including the federal EDA grant, are both the responsibility of the MWV Trails Association and not the Town of Conway at this time.

If the Town of Conway is going to take this on as a municipal project (as the MWV Trails Association has expressed as their intent), we ask that the following questions be answered before the Town takes on the financial, legal and organizational responsibility of this project.

1. Who is physically and financially responsible for the following aspects of this project:
 - a. Design
 - b. Construction
 - c. Maintenance
2. What are the responsibilities of the Town in this agreement?
 - a. How are reimbursement requests processed?
 - b. Will the Town accept any funding as part of this project?
3. If any of the funding sources are concerned that the project is not executed as promised, who holds the liability?

4. Since the path will cross private land, at some point the Town will need to accept easement agreements or hold some form of land ownership in certain areas. When would the Selectboard review and accept that land or applicable easements?
 - a. If any injuries, property damage, or other lawsuits occur during construction, who is financially responsible and who is liable in those scenarios?

5. What is the process of this (currently private) project becoming a municipal project? Will this be put to the voters like Phase 1 was?
 - a. Will there be an agreement in place ahead of construction for what Town responsibilities may become and when the Town may make a formal decision on acceptance?

We look forward to working with the Board of Selectmen and all stakeholders to expand the Rec Path in a way that fits our community's goals and needs while protecting the interests of the Town of Conway residents.

Respectfully submitted,

Ted Phillips
Eliza Grant
Erik Corbett
Planning Board Recreation Path Subcommittee