

October 25, 2024

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

Dear Board of Selectmen,

Please accept the following letter and attachments as the final report from the Planning Board Recreation Path Phase II subcommittee. This subcommittee was created to identify and research questions and concerns from the public, the Planning Board and all stakeholders as the project progresses into its second phase. The Planning Board voted to create this subcommittee to better understand the impacts of Phase II and to be able to answer questions from the public who elected us. We also see this subcommittee as a way to encourage ongoing collaboration across town boards and to ensure that the planned Phase II aligns with the updated Town of Conway Master Plan.

We wish to thank town staff, in particular Paul, Ryan, and Holly for their roles in this process. Their ongoing dedication to the town, hard work and their assistance is greatly appreciated and deserving of recognition. We also applaud the town's efforts to make information available to the public. The goal of engaging the public on this project has been accomplished as seen through the opinions of residents on social media, in the Conway Daily Sun and public feedback.

Our first correspondence to your Board was a letter (attached) outlining points of interest as they pertain to the grant process, as we felt they were important for your consideration. We then sent letters requesting feedback from identified stakeholders. We received a wide range of feedback and we would like to highlight some of those points for your consideration as this process moves forward.

We received three letters in response. One letter was from the Conservation Commission which has voted to support this project, but noted that some members were "uncomfortable with paving". One letter outlined several concerns related to traffic, overflow parking, proximity of the trail to private abutter's properties and ongoing tax and budgetary impacts. The third letter expressed support while stating, "leave the issue of paving to the core parties involved with the project but we do support the spirit of the path which is to get more people into the outdoors and safely enjoy our beautiful area." Overall there is support for the creation of a public rec path, but acknowledgement of the concerns about pavement were a theme in all letters, for or against.

The Planning Board has reviewed points of consideration with regards to this project and they are included here for your review:

- A formal, written agreement between the MWV Trails Association and the Town of Conway that outlines the roles of each organization with regard to planning, logistics, financial liabilities and public communication is recommended.
 - ◆ This should include who is responsible for budget overrun.
- An overall strategic plan for the Rec Path trail system that includes the long and short term goals of the initiative should be supplied to the Town by the MWV Trails Association.
- A presentation of Phase 2 corridor alternatives as well as how future possible alternative corridors will be identified should occur.
- Review pedestrian safety issues, including but not limited to, proposed crossings, parking, rail crossings, etc, for safety measures to be included in the final plan.
- Hold a public hearing to share the results of the environmental review with the public.
- Provide plans to the public which outline the extent of ground disturbance that will occur as part of this project.
- Provide signed easements or letters of intent to the public demonstrating that private landowners involved in this project have approved this project on their property. Provide the public information about the liability of this public project existing on private property.
- Provide parking need estimates and design parking that does not back directly onto roadways.
- Inquire directly with the funding agency to determine what non-paved surfaces could be approved for this project and provide that information to the public.
- Provide plans that show how accessibility will be maintained across the active rail line.
- Provide the public with a cost estimate for yearly maintenance as well as repaving.

In conclusion, public input into the design and execution of this project, as well as transparency throughout that process, is paramount. As has been previously suggested, checking in with the voters is a reasonable next step to engage the residents of Conway on their wishes with regard to this project. In addition, the Planning Board looks forward to ongoing collaboration with the Board of Selectmen on the design and review of municipal projects.

Respectfully submitted,

Ted Phillips, Chair
Eliza Grant
Erik Corbett
Nat Lucy
Planning Board Recreation Path Subcommittee

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