

Minutes Planning Board meeting, Monday, June 6, 2011

Mike Kurkulonis, chair, began the meeting at 7:00 PM, as scheduled and as posted. Present were Chuck Trombley, John O'Rourke, Jim Moore, Mike Kurkulonis, and David Barten. Also present were non-board visitors Whitty Sanford, Lee Whitcomb and Wes Rowe.

1. Proposal. Jim proposed that the roadway between Rt. 116 and Pumpkin Hollow be named Pumpkin Hollow Road, not Whately Road as it is now. No action taken.

2. Proposal. Chuck proposed that the planning board meet on some other evening than Monday. The problem of having back-to-back meetings with the Selectboard which meets also on Monday nights is that discussions which require more time than allotted come to an abrupt end, or scheduled meetings with others do not start on time. After a discussion, Mike motioned and Jim seconded that the planning board meet a different time. It was agreed that the board will now meet on the 2nd Thursday of each month at 7pm in the Selectboard's room.

3. Proposal. Chuck proposed that the Selectboard and the Planning Board be separated, the independent planning board consisting of 5 members. The proposal was greeted enthusiastically, and a motion made and seconded. In anticipation of the discussion, Mike brought a petition form, but because the focus of the discussion shifted quickly to when the proposal should be placed before the town, no signatures were placed on the form. As for timing, Chuck suggested the annual meeting. Mike countered that a special town meeting, if one occurred before the annual meeting, would be better, because candidates for the three positions could make themselves known and placed their names before residents at the caucus. All agreed with Mike.

4. Naming of roads. The intent had been for the planning board to review the proposed by-law "Street Naming & Building Numbering By Law" created by the committee headed by John. Copies of the proposed by-law were passed out, and all had a chance to look them over. Mike asked whether John thought the board should address each section in the by-law at this meeting. John suggested that this be done possibly at the next meeting, because the committee wants in-put from Bob Baker, Ken Ouimette, Randy Williams and hopefully Jim Hawkins, building inspector. Whitty, who had worked with the committee, wanted all to know what a "fabulous" group this committee had been to work with. For one thing, all members shared the view that the by-law needed to be clearly stated—no excess verbiage. Second, that Mass. Gen. Laws should be cited where appropriate to show that naming streets and buildings was not based on whim but law. Mike thought that reference to Mass. Gen. Laws should occur in all the Town's by-laws. The discussion ended with a question about how the by-law once adopted by the board should move towards town meeting. The process, it was assumed, would be first to place the proposed by-law before town counsel, then hold a public hearing, then place it before the town, then if accepted send it to the Attorney General's office. But to be certain this was the process, David was to check with Ginny Knowlton.

5. Lee's booklet. Jim took note of a booklet that Lee Whitcomb had put together in which all names of residents, numbers of their houses/buildings are presented together with GPS coordinates for the ends of their driveways. Mike thought this data should be put into the GPS systems in all the town's emergency vehicles. Lee said that a state grant from the GI Fund made it possible for the data to be put on a map, which will then be transferred to software for the

systems in the vehicles. But, she noted, the town will have to buy the software. Lee added, that for a small town, Conway with these maps was in a very good position for meeting emergencies.

6. FRCOG meeting. John mentioned that he had attended a FRCOG planning board meeting at which there were two guest speakers. Whitty said that both the Governor and Lt. Governor see FRCOG as the model for the future in the way counties should be run, and therefore watch its activities closely. As for the speakers, what they said was interesting but not especially relevant to Conway.

7. Responsibilities of the Planning Board. Mike presented a sheet, passed out to all members, where he had listed all references to the planning board in the town's Protective By-laws. This was done to help the board focus on its responsibilities. These include passing on plans for common driveways where more than two lots are involved. It was noted by others that there have only been only two instances in recent years where plans were brought before the board, and these were those for Flag Mountain and Ed Rose's Parson's Hill plan. Both were brought before the Selectboard when it was the Planning Board. The discussion then focused on whether it would be a good idea to take Mike's list and study the planning board's relation to each item in the Protective By-Laws where the board has a role. Chuck thought so, as did Whitty.

8. Master Plan. The focus of the meeting shifted to the Master plan, which the board has been reviewing. Chuck suggested that completing the review be made top priority so the plan can be placed before the Town at the 2012 meeting. The discussion that followed was frank, with all members voicing a reaction. In general, it was agreed that the plan is weighted too heavily in the direction of protecting open land and Conway's bucolic setting, and that there was need to balance the plan with greater emphasis on Conway's economic side. No one suggested that conservation and protection of land were not important. Lee thought that a problem with the plan was how statistics were used to advance a position about protection, thus weighting the argument in favor, when in fact 43% of Conway's land is protected in one way or another, and some percentage of the town's private land is undevelopable because it is swamp, or rock outcropping. Whitty, who had been part of the committee that made the draft master plan, said that in fact there had been no businessmen on the original committee, thus leading to the imbalance in viewpoint. The subject shifted to the matter of a wastewater treatment system for the downtown, as well as a municipal water system. Chuck, who directed attention to these, thought that the master plan should take both directly into account as needs for the immediate future, since his sense is that the State will likely force Conway in the not too distant future to create a wastewater plant, if the town does not do so itself. John said that most master plans, whether for business or municipal purposes, were 5-year plans, subject to review after this time period was over.

9. Money in trust funds. Chuck referred to the previous meeting and the discussion about funds directed to Conway by individuals and held in trust, the amount totaling about \$2 million. Mike's position in bringing that matter up at the previous meeting had been to draw attention to the large amount, and to the fact that the donors had wanted the interest or principal to be spent on the town, and yet very little is actually spent: couldn't something be done about this? Chuck said that he had been looking into the matter and thought that possibly money could be

drawn from a trust to make a nature trail that included the old road to the ice pond, this being town-owned land. The fund was focused on the handicapped, and the trail could be made expressly with the handicapped in mind. The discussion shifted to the process by which it was determined what and how these funds could be used. Chuck said that it was the selectmen who had overall responsibility for the funds, as was the case in other towns, but that in fact it was town counsel who had to make final determinations. Chuck said that he and Liz Braccia are working on a booklet which would contain copies of all the trust documents. This booklet would be placed in the town office and be accessible to committees and residents of the town. The board thought this was a good idea. Mike asked whether there could be an on-going committee that watched over these trusts. The committee would have a continuous memory, and so be able to advise Selectboards of the future. It was agreed that this was a good idea.

10. Town Hall renovation. The board focused on Lee's proposal made at the previous meeting, about how the town hall could be renovated. The question was what should be done next. The two aspects that have to be addressed are the need for parking space, and a structural engineer's assessment of the state of the building. Space for parking could be created by taking Farrick's condemned building by eminent domain, a process that would require hiring an independent appraiser to determine market value. As for the engineer, Lee said that funds were available in the Overlay Surplus Account, which had to be used by June 30, 2011. These funds could be used to hire an engineer. The motion was made and seconded to hire an engineer as soon as possible. The vote was unanimous. Chuck said he would talk to Jim Hawkins about a possible person. The focus of the discussion was then on how money from the Overlay Surplus Account was to flow to the engineer. Chuck said that an e-mail should be sent from the Planning Board to the Selectboard, which would then take up the matter with the finance committee, which authorizes the withdrawal of the money from the Town's general funds.

The meeting was adjourned at 8:30 PM. The next meeting of the planning board will occur on Thursday, July 14 at 7:00 pm in the town office building.

Respectfully submitted,

David Barten